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The Department of State

bulletin

Vol. XXXI, No. 803

November 15, 1954



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The Department of State BULLETIN, a weekly publication issued by the Public Services Division, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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Results of Paris Conference

The Department of State this month released a publication entitled London and Paris Agreements, September-October 1954 (for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C., 45 cents) containing documents on the recent London and Paris conferences. The volume also includes the text of Secretary Dulles' report to the President and the Cabinet on October 25. Reprinted below are texts of the agreements signed at Paris on October 23 relating to NATO, to the Brussels Treaty of 1948, to the occupation of the Federal Republic of Germany, and to Berlin.

DOCUMENTS RELATING TO NATO

Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany

The Parties to the North Atlantic Treaty signed at Washington on 4th April, 1949,

Being satisfied that the security of the North Atlantic area will be enhanced by the accession of the Federal Republic of Germany to that Treaty, and

Having noted that the Federal Republic of Germany has by a declaration dated 3rd October, 1954,¹ accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken upon its accession to the North Atlantic Treaty to refrain from any action inconsistent with the strictly defensive character of that Treaty, and

¹ For text of the Final Act of the London Conference, Section V of which contains the Oct. 3 declarations, see BULLETIN of Oct. 11, 1954, p. 515.

Having further noted that all member governments have associated themselves with the declaration also made on 3rd October, 1954, by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic¹ in connection with the aforesaid declaration of the Federal Republic of Germany,

Agree as follows:

Article I

Upon the entry into force of the present Protocol, the Government of the United States of America shall on behalf of all the Parties communicate to the Government of the Federal Republic of Germany an invitation to accede to the North Atlantic Treaty. Thereafter the Federal Republic of Germany shall become a Party to that Treaty on the date when it deposits its instruments of accession with the Government of the United States of America in accordance with Article 10 of that Treaty.

Article II

The present Protocol shall enter into force, when (a) each of the Parties to the North Atlantic Treaty has notified to the Government of the United States of America its acceptance thereof, (b) all instruments of ratification of the Protocol Modifying and Completing the Brussels Treaty have been deposited with the Belgium Government, and (c) all instruments of ratification or approval of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Government of the Federal Republic of Germany. The Government of the United States of America shall inform the other Parties to the North Atlantic Treaty of the date of the receipt of each notification of acceptance of the present Protocol and of the date of the entry into force of the present Protocol.

Article III

The present Protocol, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other Parties to the North Atlantic Treaty.

IN WITNESS WHEREOF, the undersigned Representatives, duly authorised thereto by their respective Governments, have signed the present Protocol.

SIGNED at Paris the twenty-third day of October nineteen hundred and fifty four.

For Belgium: P. H. SPAAK
For Canada: L. B. PEARSON
For Denmark: H. C. HANSEN
For France: P. MENDES-FRANCE
For Greece: S. STEPHANOPOULOS
For Iceland: KRISTIN GUDMUNDSSON
For Italy: G. MARTINO
For the Grand-Duchy of Luxemburg: JOS. BECH
For Netherlands: J. W. BEYEN
For Norway: HALVARD LANGE
For Portugal: PAULO CUNHA
For Turkey: F. KÖPRÜLÜ
For the United Kingdom of Great Britain and Northern-Ireland: ANTHONY EDEN
For the United States of America: JOHN FOSTER DULLES

Resolution To Implement Section IV of the Final Act of the London Conference Concerning the Powers of the Supreme Allied Commander, Europe

THE NORTH ATLANTIC COUNCIL:

1. *Recognising* the necessity of strengthening the structure of the North Atlantic Treaty Organization and of reinforcing the machinery for the collective defence of Europe, and desirous of specifying the conditions governing joint examination of the defence effort of member countries,

2. *Recalls* that:

(a) the resources which member nations intend to devote to their defence effort as well as the level, composition and quality of the forces which the member nations are contributing to the defence of the North Atlantic area are each year subject to collective examination in the NATO Annual Review for the purpose of reaching agreement on force goals, taking into account expected mutual aid;

(b) the defence expenditures incurred by the member nations and the extent to which the recommendations emerging from the Annual Re-

view have been carried out are the subject of periodical review during the year.

3. *Agrees* with the terms of the Agreement on Forces of Western European Union;² and that with respect to the forces which the members of Western European Union will place under NATO Command on the mainland of Europe and for which maximum figures have been established in that Agreement, if at any time during the NATO Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits established in this Agreement, the acceptance by the country concerned of such recommended increases shall be subject to unanimous approval by the members of Western European Union, expressed either in the Council of Western European Union or in the North Atlantic Treaty Organization.

4. *Decides* that all forces of member nations stationed in the area of the Allied Command Europe shall be placed under the authority of the Supreme Allied Commander Europe or other appropriate NATO Command and under the direction of the NATO military authorities with the exception of those forces intended for the defence of overseas territories and other forces which the North Atlantic Treaty Organization has recognised or will recognise as suitable to remain under national command.

5. *Invites* member nations to make an initial report for consideration and recognition by the Council on those forces which they plan to maintain within the area of Allied Command Europe for the common defence, but not to place under the authority of the North Atlantic Treaty Organization, taking into account the provisions of relevant NATO directives bearing on that subject; the initial report will include a broad statement of the reason for which the above forces are not so placed. Thereafter, if any changes are proposed, the North Atlantic Council action on the NATO Annual Review will constitute recognition as to the suitability and size of forces to be placed under the authority of the appropriate NATO Command and those to be retained under national command.

6. *Notes* that the agreements concluded within the framework of the Organization of Western European Union on the internal defence and police forces which the members of that Organization

² See p. 724.

will maintain on the mainland shall be notified to the North Atlantic Council.

7. *Agrees*, in the interest of most effective collective defence, that in respect of combat forces in the area of Allied Command Europe and under the Supreme Allied Commander Europe;

(a) all deployments shall be in accordance with NATO strategy;

(b) the location of forces in accordance with NATO operational plans shall be determined by the Supreme Allied Commander Europe after consultation and agreement with the national authorities concerned;

(c) forces under the Supreme Allied Commander Europe and within the area of Allied Command Europe shall not be redeployed or used operationally within that area without the consent of the Supreme Allied Commander Europe, subject to political guidance furnished by the North Atlantic Council, when appropriate, through normal channels.

8. *Decides That:*

(a) integration of forces at Army Group and Tactical Air Force level shall be maintained;

(b) in view of the powerful combat support units and logistic support organization at Army level, integration at that level and associated Air Force level will be the rule, wherever formations of several nationalities are operating in the same area and on a common task, provided there are no overriding objections from the point of view of military effectiveness;

(c) wherever military efficiency permits, in light of the size, location and logistic support of forces, integration at lower levels, both in the land and air forces, shall be achieved to the maximum extent possible;

(d) proposals to the North Atlantic Council, indicating any increases in commonly financed items of expenditure, such as infrastructure which might be entailed by the adoption of such measures, should be submitted by the NATO military authorities.

9. *Agrees* that, in order to improve the capability of the Supreme Allied Commander Europe to discharge his responsibilities in the defence of Allied Command Europe, his responsibilities and powers for the logistic support of the forces placed under his authority shall be extended.

10. *Considers* that these increased responsibilities and powers should include authority:

(a) to establish, in consultation with the na-

tional authorities concerned, requirements for the provision of logistic resources;³

(b) to determine, in agreement with the national authorities concerned, their geographic distribution;

(c) to establish, in consultation with these authorities, logistic priorities for the raising, equipping and maintenance of units;

(d) to direct the utilisation, for meeting his requirements, of those portions of the logistic support systems made available to him by the appropriate authorities;

(e) to co-ordinate and supervise the use, for logistical purposes, of NATO common infrastructure facilities and of those national facilities made available to him by the national authorities.

11. *Agrees* that, in order to ensure that adequate information is obtained and made available to the appropriate authorities about the forces placed under the Supreme Allied Commander Europe including reserve formations and their logistic support within the area of Allied Command Europe, the Supreme Allied Commander Europe shall be granted increased authority to call for reports regarding the level and effectiveness of such forces and their armaments, equipment and supplies as well as the organization and location of their logistic arrangements. He shall also make field inspections within that area as necessary.

12. *Invites* nations to submit to the Supreme Allied Commander Europe such reports to this end as he may call for from time to time; and to assist inspection within the area of Allied Command Europe by the Supreme Allied Commander Europe of these forces and their logistic support arrangements as necessary.

13. *Confirms* that the powers exercised by the Supreme Allied Commander Europe in peacetime extend not only to the organization into an effective integrated force of the forces placed under him but also to their training; that in this field, the Supreme Allied Commander Europe has direct control over the higher training of all national forces assigned to his command in peacetime; and that he should receive facilities from member nations to inspect the training of those cadre and other forces within the area of Allied Command Europe earmarked for that Command.

³ By logistic resources should be understood all the matériel, supplies, installations and parts thereof necessary for the prolonged conduct of combat operations. [Footnote in the original.]

14. *Directs* the NATO military authorities to arrange for the designation by the Supreme Allied Commander Europe of a highranking officer of his Command who will be authorised to transmit regularly to the Council of Western European Union information relating to the forces of the members of Western European Union on the mainland of Europe acquired as a result of the reports and inspections mentioned in paragraphs 11 and 12 in order to enable that Council to establish that the limits laid down in the special agreement mentioned in paragraph 3 above are being observed.

15. *Agrees* that the expression "the area of Allied Command Europe" as used throughout this Resolution shall not include North Africa; and that this Resolution does not alter the present status of the United Kingdom and United States forces in the Mediterranean.

16. *Directs* the NATO Military Committee to initiate the necessary changes in the directives to give effect to the above policies and objectives of the North Atlantic Council.

Resolution on Results of the Four and Nine Power Meetings¹

THE NORTH ATLANTIC COUNCIL:

Recognising that all the arrangements arising out of the London Conference form part of one general settlement which is directly or indirectly of concern to all the NATO Powers and has therefore been submitted to the Council for information or decision;

Have Learnt with satisfaction of the arrangements agreed between the Governments of France, the United Kingdom and the United States of America and of the Federal Republic of Germany for the termination of the occupation régime in the Federal Republic as set forth in the Protocol communicated to the Council;

Welcome the decision of the Brussels Treaty Powers to invite the Federal Republic of Germany and Italy to accede to the Brussels Treaty as modified and completed by the Protocols and other documents communicated to the Council, and hereby record their agreement with the provisions of those Protocols and documents insofar as they concern action by the North Atlantic Treaty Organization;

¹Adopted by the North Atlantic Council on Oct. 22. For text of the communique issued on the same date, see p. 732.

Welcome the extension of the Brussels Treaty as an important step toward the achievement of European unity; and express confidence that there will be the closest co-operation between the Western European Union and the North Atlantic Treaty Organization which remains the foundation of the security and progress of the Atlantic Community.

Take Note with satisfaction of the statements made on 29th September 1954 in London by the United States Secretary of State and the Canadian Secretary of State for External Affairs, and of the declaration by the Foreign Secretary of the United Kingdom concerning the maintenance of United Kingdom forces on the continent of Europe;⁵ Finally,

Record their deep satisfaction at the happy conclusion of all the above arrangements which together constitute a decisive step in fortifying the North Atlantic Alliance and uniting the Free World.

Resolution of Association With the Tripartite Declaration of October 3, 1954

THE NORTH ATLANTIC COUNCIL,

Welcoming the declaration made in London by the Government of the Federal Republic of Germany on 3rd October, 1954, and the related declaration made on the same occasion by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic,

Notes With Satisfaction that the representatives of the other Parties to the North Atlantic Treaty have, on behalf of their Governments, today associated themselves with the aforesaid declaration of the Three Powers.

DOCUMENTS RELATING TO THE BRUSSELS TREATY

Declaration Inviting Italy and the Federal Republic of Germany To Accede to the Brussels Treaty

The Governments of Belgium, France, Luxembourg, the Netherlands and the United Kingdom, Parties to the Brussels Treaty of March the 17th, 1948, for collaboration in economic, social and cul-

⁵ BULLETIN of Oct. 11, 1954, p. 523.

tural matters and for legitimate collective self-defence;⁶

Aware that the principles underlying the association created by the Brussels Treaty are also recognised and applied by the Federal Republic of Germany and Italy;

Noting with satisfaction that their devotion to peace and their allegiance to democratic institutions constitute common bonds between the countries of Western Europe;

Convinced that an association with the Federal Republic of Germany and Italy would represent a new and substantial advance in the direction already indicated by the Treaty;

Decide,

in application of Article IX of the Treaty, to invite the Federal Republic of Germany and Italy to accede to this Treaty, as modified and completed in accordance with the decisions of the Conference held in London from September the 28th to October the 3rd 1954, which are recorded in its Final Act.

Protocol No. I Modifying and Completing the Brussels Treaty

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands and Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March the 17th, 1948, hereinafter referred to as the Treaty, on the one hand,

and the President of the Federal Republic of Germany and the President of the Italian Republic on the other hand,

Inspired by a common will to strengthen peace and security;

Desirous to this end of promoting the unity and of encouraging the progressive integration of Europe;

Convinced that the accession of the Federal Republic of Germany and the Italian Republic to the Treaty will represent a new and substantial advance towards these aims;

Having taken into consideration the decisions

of the London Conference as set out in the Final Act of October the 3rd, 1954 and its Annexes;

Have appointed as their Plenipotentiaries:

Who, having exhibited their full powers found in good and due form,

Have agreed as follows:

Article I

The Federal Republic of Germany and the Italian Republic hereby accede to the Treaty as modified and completed by the present Protocol.

The High Contracting Parties to the present Protocol consider the Protocol on Forces of Western European Union (hereinafter referred to as Protocol No. II), the Protocol on the Control of Armaments and its Annexes (hereinafter referred to as Protocol No. III), and the Protocol on the Agency of Western European Union for the Control of Armaments (hereinafter referred to as Protocol No. IV) to be an integral part of the present Protocol.

Article II

The sub-paragraph of the Preamble to the Treaty: "to take such steps as may be held necessary in the event of renewal by Germany of a policy of aggression" shall be modified to read: "to promote the unity and to encourage the progressive integration of Europe".

The opening words of the 2nd paragraph of Article I shall read: "The co-operation provided for in the preceding paragraph, which will be effected through the Council referred to in Article VIII. . .".

Article III

The following new Article shall be inserted in the Treaty as Article IV: "In the execution of the Treaty the High Contracting Parties and any organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organization".

Recognising the undesirability of duplicating the Military Staffs of NATO, the Council and its agency will rely on the appropriate Military Authorities of NATO for information and advice on military matters.

Articles IV, V, VI and VII of the Treaty will become respectively Article V, VI, VII and VIII.

Article IV

Article VIII of the Treaty (formerly Article VII) shall be modified to read as follows:

"1. For the purposes of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer co-operation between Them and with other European organizations, the High Contracting Parties to the Brussels Treaty shall create a Council to consider matters concerning the execu-

⁶For text, see *London and Paris Agreements*, p. 57, and BULLETIN of Oct. 11, 1954, p. 528.

tion of this Treaty and of its Protocols and their Annexes.

"2. This Council shall be known as the "Council of Western European Union"; it shall be so organized as to be able to exercise its functions continuously; it shall set up such subsidiary bodies as may be considered necessary: in particular it shall establish immediately an Agency for the Control of Armaments whose functions are defined in Protocol No. IV.

"3. At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability.

"4. The Council shall decide by unanimous vote questions for which no other voting procedure has been or may be agreed. In the cases provided for in Protocols II, III and IV it will follow the various voting procedures, unanimity, two-thirds majority, simple majority, laid down therein. It will decide by simple majority questions submitted to it by the Agency for the Control of Armaments".

Article V

A new Article shall be inserted in the Treaty as Article IX: "The Council of Western European Union shall make an Annual Report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe".

The Articles VIII, IX and X of the Treaty shall become respectively Articles X, XI and XII.

Article VI

The present Protocol and the other Protocols listed in Article I above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government.

They shall enter into force when all instruments of ratification of the present Protocol have been deposited with the Belgian Government and the instrument of accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

The Belgian Government shall inform the governments of the other High Contracting Parties and the Government of the United States of America of the deposit of each instrument of ratification.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

DONE at Paris this 23rd day of October 1954 in two texts, in the English and French languages, each text being equally authoritative in a single copy which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium: P. H. SPAAK

For France: P. MENDÈS-FRANCE

For the Federal Republic of Germany: ADENAUER

For Italy: G. MARTINO

For the Grand-Duchy of Luxembourg: JOS. BECH

For the Netherlands: J. W. BEYEN

For the United Kingdom of Great Britain and Northern-Ireland: ANTHONY EDEN

Protocol No. II on Forces of Western European Union

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, and Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having consulted the North Atlantic Council,

Have appointed,

Have agreed as follows:

Article 1

1. The land and air forces which each of the High Contracting Parties to the present Protocol shall place under the Supreme Allied Commander Europe in peacetime on the mainland of Europe shall not exceed in total strength and number of formations:

- (a) for Belgium, France, the Federal Republic of Germany, Italy and the Netherlands, the maxima laid down for peacetime in the Special Agreement annexed to the Treaty on the Establishment of a European Defence Community signed at Paris, on 27th May, 1952; and
- (b) for the United Kingdom, four divisions and the Second Tactical Air Force;
- (c) for Luxembourg, one regimental combat team.

2. The number of formations mentioned in paragraph 1 may be brought up to date and adapted as necessary to make them suitable for the North Atlantic Treaty Organization, provided that the equivalent fighting capacity and total strengths are not exceeded.

3. The statement of these maxima does not commit any of the High Contracting Parties to build up or maintain forces at these levels, but maintains their right to do so if required.

Article 2

As regards naval forces, the contribution to NATO Commands of each of the High Contracting

Parties to the present Protocol shall be determined each year in the course of the Annual Review (which takes into account the recommendations of the NATO military authorities). The naval forces of the Federal Republic of Germany shall consist of the vessels and formations necessary for the defensive missions assigned to it by the North Atlantic Treaty Organization within the limits laid down in the Special Agreement mentioned in Article 1, or equivalent fighting capacity.

Article 3

If at any time during the Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits specified in Articles 1 and 2, the acceptance by the country concerned of such recommended increases shall be subject to the unanimous approval of the High Contracting Parties to the present Protocol expressed either in the Council of Western European Union or in the North Atlantic Treaty Organization.

Article 4

In order that it may establish that the limits specified in Articles 1 and 2 are being observed, the Council of Western European Union will regularly receive information acquired as a result of inspections carried out by the Supreme Allied Commander Europe. Such information will be transmitted by a high-ranking officer designated for the purpose by the Supreme Allied Commander Europe.

Article 5

The strength and armaments of the internal defence and police forces on the mainland of Europe of the High Contracting Parties to the present Protocol shall be fixed by agreements within the Organization of Western European Union, having regard to their proper functions and needs and to their existing levels.

Article 6

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces which are now assigned to the Supreme Allied Commander Europe, that is to say four divisions and the Second Tactical Air Force, or such other forces as the Supreme Allied Commander Europe regards as having equivalent fighting capacity. She undertakes not to withdraw these forces against the wishes of the majority of the High Contracting Parties who should take their decision in the knowledge of the views of the Supreme Allied Commander Europe. This undertaking shall not, however, bind her in

the event of an acute overseas emergency. If the maintenance of the United Kingdom forces on the mainland of Europe throws at any time too great a strain on the external finances of the United Kingdom, she will, through Her Government in the United Kingdom of Great Britain and Northern Ireland, invite the North Atlantic Council to review the financial conditions on which the United Kingdom formations are maintained.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

DONE at Paris this 23rd day of October, 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

[Signatures same as in Protocol No. I.]

Protocol No. III on the Control of Armaments

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Have appointed . . . ,

Have agreed as follows:

Part I—Armaments not to be manufactured

Article 1

The High Contracting Parties, members of Western European Union, take note of and record their agreement with the Declaration of the Chancellor of the Federal Republic of Germany (made in London on 3rd October 1954, and annexed hereto as Annex I)^a in which the Federal Republic of Germany undertook not to manufacture in its territory atomic, biological and chemical weapons. The types of armaments referred to in this

^a London and Paris Agreements, p. 46; BULLETIN of Oct. 11, 1954, p. 519.

Article are defined in Annex II.⁷ These armaments shall be more closely defined and the definitions brought up to date by the Council of Western European Union.

Article 2

The High Contracting Parties, members of Western European Union, also take note of and record their agreement with the undertaking given by the Chancellor of the Federal Republic of Germany in the same Declaration that certain further types of armaments will not be manufactured in the territory of the Federal Republic of Germany, except that if in accordance with the needs of the armed forces a recommendation for an amendment to, or cancellation of, the content of the list of these armaments is made by the competent Supreme Commander of the North Atlantic Treaty Organization, and if the Government of the Federal Republic of Germany submits a request accordingly, such an amendment or cancellation may be made by a resolution of the Council of Western European Union passed by a two-thirds majority. The types of armaments referred to in this Article are listed in Annex III.⁸

Part II—Armaments to be controlled

Article 3

When the development of atomic, biological and chemical weapons in the territory on the mainland of Europe of the High Contracting Parties who have not given up the right to produce them has passed the experimental stage and effective production of them has started there, the level of stocks that the High Contracting Parties concerned will be allowed to hold on the mainland of Europe shall be decided by a majority vote of the Council of Western European Union.

Article 4

Without prejudice to the foregoing Articles, the types of armaments listed in Annex IV will be controlled to the extent and in the manner laid down in Protocol No. IV.

Article 5

The Council of Western European Union may vary the list in Annex IV by unanimous decision.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

DONE at Paris on the 23rd day of October 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single

⁷ *London and Paris Agreements*, p. 47.

⁸ *Ibid.*, p. 48.

copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

[Signatures same as in Protocol No. I.]

Protocol No. IV on the Agency of Western European Union for the Control of Armaments

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having agreed in accordance with Article IV of the Protocol Modifying and Completing the Treaty, to establish an Agency for the Control of Armaments,

Have appointed

Have agreed as follows:

Part I—Constitution

Article 1

The Agency for the Control of Armaments (hereinafter referred to as "the Agency") shall be responsible to the Council of Western European Union (hereinafter referred to as "the Council"). It shall consist of a Director assisted by a Deputy Director, and supported by a staff drawn equitably from nationals of the High Contracting Parties, Members of Western European Union.

Article 2

The Director and his staff, including any officials who may be put at the disposal of the Agency by States Members, shall be subject to the general administrative control of the Secretary General of Western European Union.

Article 3

The Director shall be appointed by unanimous decision of the Council for a period of five years and shall not be eligible for re-appointment. He shall be responsible for the selection of his staff in accordance with the principle mentioned in Article 1 and in consultation with the individual States Members concerned. Before filling the posts of Deputy Director and of the Heads of Departments of the Agency, the Director shall

obtain from the Council approval of the persons to be appointed.

Article 4

1. The Director shall submit to the Council, through the Secretary General, a plan for the organization of the Agency. The organization should provide for departments dealing respectively with:

- (a) the examination of statistical and budgetary information to be obtained from the members of Western European Union and from the appropriate NATO authorities;
- (b) inspections, test checks and visits;
- (c) administration.

2. The organization may be modified by decision of the Council.

Article 5

The costs of maintaining the Agency shall appear in the budget of Western European Union. The Director shall submit, through the Secretary General, to the Council an annual estimate of these costs.

Article 6

Officials of the Agency shall be bound by the full NATO code of security. They shall in no circumstances reveal information obtained in connexion with the execution of their official tasks except and only in the performance of their duties towards the Agency.

Part II—Functions

Article 7

1. The tasks of the Agency shall be:

- (a) to satisfy itself that the undertakings set out in Protocol No. III not to manufacture certain types of armaments mentioned in Annexes II and III to that Protocol are being observed;
- (b) to control, in accordance with Part III of the present Protocol, the level of stocks of armaments of the types mentioned in Annex IV to Protocol No. III held by each member of Western European Union on the mainland of Europe. This control shall extend to production and imports to the extent required to make the control of stocks effective.

2. For the purposes mentioned in paragraph 1 of this Article, the Agency shall:

- (a) scrutinise statistical and budgetary information supplied by members of Western European Union and by the NATO authorities;
- (b) undertake on the mainland of Europe test checks, visits and inspections at production plants, depots and forces (other

than depots or forces under NATO authority);

- (c) report to the Council.

Article 8

With respect to forces and depots under NATO authority, test checks, visits and inspections shall be undertaken by the appropriate authorities of the North Atlantic Treaty Organization. In the case of the forces and depots under the Supreme Allied Commander Europe, the Agency shall receive notification of the information supplied to the Council through the medium of the high-ranking officer to be designated by him.

Article 9

The operations of the Agency shall be confined to the mainland of Europe.

Article 10

The Agency shall direct its attention to the production of end-items and components listed in Annexes II, III and IV of Protocol No. III, and not to processes. It shall ensure that materials and products destined for civilian use are excluded from its operations.

Article 11

Inspections by the Agency shall not be of a routine character, but shall be in the nature of tests carried out at irregular intervals. Such inspections shall be conducted in a spirit of harmony and co-operation. The Director shall propose to the Council detailed regulations for the conduct of the inspections providing, inter alia, for due process of law in respect of private interests.

Article 12

For their test checks, visits and inspections the members of the Agency shall be accorded free access on demand to plants and depots, and the relevant accounts and documents shall be made available to them. The Agency and national authorities shall co-operate in such checks and inspections, and in particular national authorities may, at their own request, take part in them.

Part III—Levels of Stocks of Armaments

Article 13

1. Each member of Western European Union shall, in respect of its forces under NATO authority stationed on the mainland of Europe, furnish annually to the Agency statements of:

- (a) the total quantities of armaments of the types mentioned in Annex IV to Protocol No. III required in relation to its forces;
- (b) the quantities of such armaments cur-

rently held at the beginning of the control years;

(c) the programmes for attaining the total quantities mentioned in (a) by:

- (i) manufacture in its own territory;
- (ii) purchase from another country;
- (iii) end-item aid from another country.

2. Such statements shall also be furnished by each member of Western European Union in respect of its internal defence and police forces and its other forces under national control stationed on the mainland of Europe including a statement of stocks held there for its forces stationed overseas.

3. The statements shall be correlated with the relevant submissions to the North Atlantic Treaty Organization.

Article 14

As regards the forces under NATO authority, the Agency shall verify in consultation with the appropriate NATO authorities that the total quantities stated under Article 13 are consistent with the quantities recognised as required by the units of the members concerned under NATO authority, and with the conclusions and data recorded in the documents approved by the North Atlantic Council in connexion with the NATO Annual Review.

Article 15

As regards internal defence and police forces, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified by the members, provided that they remain within the limits laid down in the further agreements to be concluded by the members of Western European Union on the strength and armaments of the internal defence and police forces on the mainland of Europe.

Article 16

As regards other forces remaining under national control, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified to the Agency by the members.

Article 17

The figures furnished by members for the total quantities of armaments under Articles 15 and 16 shall correspond to the size and mission of the forces concerned.

Article 18

The provisions of Articles 14 and 17 shall not apply to the High Contracting Parties and to the categories of weapons covered in Article 3 of Protocol No. III. Stocks of the weapons in question shall be determined in conformity with the

procedure laid down in that Article and shall be notified to the Agency by the Council of the Western European Union.

Article 19

The figures obtained by the Agency under Articles 14, 15, 16 and 18 shall be reported to the Council as appropriate levels for the current control year for the members of Western European Union. Any discrepancies between the figures stated under Article 13, paragraph 1, and the quantities recognised under Article 14 will also be reported.

Article 20

1. The Agency shall immediately report to the Council if inspection, or information from other sources, reveals:

(a) the manufacture of armaments of a type which the member concerned has undertaken not to manufacture;

(b) the existence of stocks of armaments in excess of the figures and quantities ascertained in accordance with Articles 19 and 22.

2. If the Council is satisfied that the infraction reported by the Agency is not of major importance and can be remedied by prompt local action, it will so inform the Agency and the member concerned, who will take the necessary steps.

3. In the case of other infractions, the Council will invite the member concerned to provide the necessary explanation within a period to be determined by the Council; if this explanation is considered unsatisfactory, the Council will take the measures which it deems necessary in accordance with a procedure to be determined.

4. Decisions of the Council under this Article will be taken by majority vote.

Article 21

Each member shall notify to the Agency the names and locations of the depots on the mainland of Europe containing armaments subject to control and of the plants on the mainland of Europe manufacturing such armaments, or, even though not in operation, specifically intended for the manufacture of such armaments.

Article 22

Each member of Western European Union shall keep the Agency informed of the quantities of armaments of the types mentioned in Annex IV to Protocol No. III, which are to be exported from its territory on the mainland of Europe. The Agency shall be entitled to satisfy itself that the armaments concerned are in fact exported. If the level of stocks of any item subject to control appears abnormal, the Agency shall further be entitled to enquire into the orders for export.

Article 23

The Council shall transmit to the Agency information received from the Governments of the United States of America and Canada respecting military aid to be furnished to the forces on the mainland of Europe of members of Western European Union.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

DONE at Paris this 23rd day of October 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

[Signatures same as in Protocol No. I.]

Resolution on Production and Standardisation of Armaments¹

The Governments of the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, and the United Kingdom of Great Britain and Northern Ireland,

Anxious to increase the effectiveness of their common Defence forces to the maximum,

Desirous of ensuring the best possible use of their available armament credits by means of the rational organization of production,

Noting the importance in this connection of standardising weapons and weapon components,

Desirous of facilitating any agreements to this and between all or certain of the Seven Powers:

(1) Recall the decision taken at the London Conference to set up a Working Party to study the draft directives submitted by the French Government on 1st October 1954 and such other documents as might subsequently be submitted on the problem of the production and standardisation of armaments.

(2) Agree to convene a Working Group in Paris on the 17th January 1955 of the Representatives of Belgium, France, Italy, Luxembourg, the Netherlands, the Federal Republic of Germany and the

¹ Adopted by the Nine-Power Conference on Oct. 21.

United Kingdom, to study the draft directives and other documents referred to in the foregoing paragraph, with a view to submitting proposals to the Council of Western European Union when it comes into being.

DOCUMENTS RELATING TO THE OCCUPATION OF THE FEDERAL REPUBLIC OF GERMANY

Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany

The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

Article 1

The Convention on Relations between the Three Powers and the Federal Republic of Germany, the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany, the Finance Convention, the Convention on the Settlement of Matters arising out of the War and the Occupation, signed at Bonn on 26 May 1952, the Protocol signed at Bonn on 27 June 1952 to correct certain textual errors in the aforementioned Conventions, and the Agreement on the Tax Treatment of the Forces and their Members signed at Bonn on 26 May 1952, as amended by the Protocol signed at Bonn on 26 July 1952,¹⁰ shall be amended in accordance with the five Schedules¹¹ to the present Protocol and as so amended shall enter into force (together with subsidiary documents agreed by the Signatory States relating to any of the aforementioned instruments) simultaneously with it.

Article 2

Pending the entry into force of the arrangements for the German Defence Contribution, the following provisions shall apply:

- (1) The rights heretofore held or exercised by the United States of America, the United

¹⁰ For a summary of the Bonn conventions of May 26, 1952, see BULLETIN of June 9, 1952, p. 888; for texts, see S. Executives Q and R, 82d Cong., 2d sess.

¹¹ Schedule I is entitled *Amendments to the Convention on Relations between the Three Powers and the Federal Republic of Germany*; Schedule II, *Amendments to the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany*; Schedule III, *Amendments to the Finance Convention*; Schedule IV, *Amendments to the Convention on the Settlement of Matters Arising out of the War and the Occupation*; Schedule V, *Amendments to the Agreement on the Tax Treatment of the Forces and their Members*.

For texts, see *London and Paris Agreements*, pp. 65-94.

Kingdom of Great Britain and Northern Ireland and the French Republic relating to the fields of disarmament and demilitarisation shall be retained and exercised by them, and nothing in any of the instruments mentioned in Article 1 of the present Protocol shall authorize the enactment, amendment, repeal or deprivation of effect of legislation or, subject to the provisions of paragraph (2) of this Article, executive action in those fields by any other authority.

- (2) On the entry into force of the present Protocol, the Military Security Board shall be abolished (without prejudice to the validity of any action or decisions taken by it) and the controls in the fields of disarmament and demilitarisation shall thereafter be applied by a Joint Four-Power Commission to which each of the Signatory States shall appoint one representative and which shall take its decisions by majority vote of the four members.
- (3) The Governments of the Signatory States will conclude an administrative agreement which shall provide, in conformity with the provisions of this Article, for the establishment of the Joint Four-Power Commission and its staff and for the organisation of the work.

Article 3

1. The present Protocol shall be ratified or approved by the Signatory States in accordance with their respective constitutional procedures. The Instruments of Ratification or Approval shall be deposited by the Signatory States with the Government of the Federal Republic of Germany.

2. The present Protocol and subsidiary documents relating to it agreed between the Signatory States shall enter into force upon the deposit by all the Signatory States of the Instruments of Ratification or Approval as provided in paragraph 1 of this Article.

3. The present Protocol shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each Signatory State with certified copies thereof and notify each State of the date of entry into force of the present Protocol.

IN FAITH WHEREOF the undersigned Representatives duly authorized thereto have signed the present Protocol.

DONE at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

JOHN FOSTER DULLES

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN

For the French Republic:

P. MENDES-FRANCE

For the Federal Republic of Germany:

ADENAUER

Convention on the Presence of Foreign Forces in the Federal Republic of Germany

In view of the present international situation and the need to ensure the defence of the free world which require the continuing presence of foreign forces in the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

Article 1

1. From the entry into force of the arrangements for the German Defence Contribution, forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic.

2. The effective strength of the forces stationed in the Federal Republic pursuant to paragraph 1 of this Article may at any time be increased with the consent of the Government of the Federal Republic of Germany.

3. Additional forces of the States parties to the present Convention may enter and remain in the Federal territory with the consent of the Government of the Federal Republic of Germany for training purposes in accordance with the procedures applicable to forces assigned to the Supreme Allied Commander, Europe, provided that such forces do not remain there for more than thirty days at any one time.

4. The Federal Republic grants to the French, the United Kingdom and the United States forces the right to enter, pass through and depart from the territory of the Federal Republic in transit to or from Austria (so long as their forces continue to be stationed there) or any country Member of the North Atlantic Treaty Organization, on the same basis as is usual between Parties to the North Atlantic Treaty or as may be agreed with effect for all Member States by the North Atlantic Council.

Article 2

The present Convention shall be open to accession by any State not a Signatory, which had

forces stationed in the Federal territory on the date of the signature of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed at Paris on 23 October 1954. Any such State, desiring to accede to the present Convention, may deposit with the Government of the Federal Republic an Instrument of Accession.

Article 3

1. The present Convention shall expire with the conclusion of a German peace settlement or if at an earlier time the Signatory States agree that the development of the international situation justifies new arrangements.

2. The Signatory States will review the terms of the present Convention at the same time and subject to the same conditions as provided for in Article 10 of the Convention on Relations between the Three Powers and the Federal Republic of Germany.

Article 4

1. The present Convention shall be ratified or approved by the Signatory States and Instruments of Ratification or Approval shall be deposited by them with the Government of the Federal Republic of Germany which shall notify each Signatory State of the deposit of each Instrument of Ratification or Approval. The present Convention shall enter into force when all the Signatory States have made such deposit and the Instrument of Accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

2. It shall also enter into force on that date as to any acceding State which has previously deposited an Instrument of Accession in accordance with Article 2 of the present Convention and, as to any other acceding State, on the date of the deposit by it of such an Instrument.

3. The present Convention shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each State party to the present Convention with certified copies thereof and of the Instruments of Accession deposited in accordance with Article 2 and will notify each State of the date of the deposit of any Instrument of Accession.

IN FAITH WHEREOF the undersigned Representatives duly authorized thereto have signed the present Convention.

DONE at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

JOHN FOSTER DULLES

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN

For the French Republic:

P. MENDES-FRANCE

For the Federal Republic of Germany:

ADENAUER

Tripartite Agreement on the Exercise of Retained Rights in Germany

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic agree as follows:

1. The rights retained by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic after the entry into force of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, which are referred to in the Convention on Relations between the Three Powers and the Federal Republic of Germany as amended by the said Protocol, will be exercised by their respective Chiefs of Mission accredited to the Federal Republic of Germany.

2. The Chiefs of Mission will act jointly in the exercise of those rights in the Federal Republic of Germany in matters the Three Powers consider of common concern under the said Protocol and the instruments mentioned in Article 1 thereof.

3. Those rights which relate to Berlin will continue to be exercised in Berlin pursuant to existing procedures, subject to any future modification which may be agreed.

4. This agreement shall enter into force upon the entry into force of the said Protocol.

DONE at Paris on the twenty-third day of October, Nineteen hundred and fifty-four in two texts, in the English and French languages, both texts being equally authentic.

For the Government of the

United States of America: JOHN FOSTER DULLES

For the Government of the

United Kingdom of Great Britain and Northern Ireland: ANTHONY EDEN

For the Government of the

French Republic: P. MENDES-FRANCE

FOREIGN MINISTERS' STATEMENT ON BERLIN¹²

With respect to Berlin, in addition to the Allied security guarantees for the city in the London communique of October 3, 1954, the Foreign Ministers of France, the United Kingdom and the United States have noted with deep satisfaction the close and friendly cooperation between the Allied and Berlin authorities. The Three Powers are determined to ensure the greatest possible degree of self-government in Berlin compatible with Berlin's special situation. Accordingly, the three Governments have instructed their representatives in Berlin to consult with the authorities of that city with a view to implementing jointly and to the fullest degree possible the foregoing principles.

Special NAC Ministerial Session

TEXT OF FINAL COMMUNIQUE¹³

1. The North Atlantic Council held a Ministerial Session in Paris today under the Chairmanship of Mr. Stephanos Stephanopoulos, Foreign Minister of Greece. This meeting, which was attended by Foreign Ministers and Defence Ministers of member countries, dealt with issues of vital importance for the security of the free world, and for the promotion of greater European unity, within the framework of a developing Atlantic Community. In particular, the meeting was called to approve arrangements designed to bring about the full association of the Federal Republic of Germany with the West, and a German defence contribution. On the invitation of the Council, Dr. Adenauer, Chancellor of the Federal Republic of Germany, attended the meeting as an observer.

2. The Council noted that all the agreements reached at the London Conference¹⁴ and at the subsequent meetings of the Four and Nine-Power Conferences¹⁵ form part of one general settlement which is directly or indirectly of concern to all the North Atlantic Treaty Powers and which was

accordingly submitted to the Council. The Council welcomed this settlement.

3. The Council was informed of the agreement reached between the Foreign Ministers of France, the German Federal Republic, the United Kingdom and the United States of America in regard to ending the occupation regime in the Federal Republic.

4. The Council was informed of the agreement reached on the text of four protocols strengthening and extending the scope of the Brussels Treaty Organization—now Western European Union—expanded to provide for the participation of Italy and of the German Federal Republic, and on the text of accompanying documents. The Council welcomed this agreement and agreed with the provisions of the Protocols to the Brussels Treaty insofar as they involve action by the North Atlantic Council or other NATO authorities.

5. The Council welcomed the declaration made in London by the Government of the Federal Republic of Germany on 3rd October, 1954, and the related declaration made on the same occasion by the Governments of France, the United Kingdom and the United States.¹⁶ It noted with satisfaction that the representatives of the other parties to the North Atlantic Treaty have today associated themselves with the declaration of the Three Powers.

6. The Council approved a resolution to reinforce the existing machinery for the collective defence of Europe, chiefly by strengthening the powers of the Supreme Allied Commander Europe.

7. The Council approved a Protocol to the North Atlantic Treaty inviting the Federal Republic of Germany to join NATO. The Protocol will be signed tomorrow by the fourteen Foreign Ministers, and will enter into force when each of the Parties to the North Atlantic Treaty has notified the Government of the United States of America of its acceptance, and when all instruments of ratification of the Protocol Modifying and Completing the Brussels Treaty have been deposited with the Belgian Government, and when all instruments of ratification or approval of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Government of the Federal Republic of Germany.

¹² Issued on Oct. 23 by the Foreign Ministers of France, the United Kingdom, and the United States.

¹³ Issued at Paris on Oct. 22.

¹⁴ For text of the final act of the London Conference, see *BULLETIN* of Oct. 11, 1954, p. 515.

¹⁵ For the communique issued on Oct. 21 after the Nine Power Conference, see *ibid.*, Nov. 1, 1954, p. 638.

¹⁶ *Ibid.*, Oct. 11, 1954, p. 520.

8. The Council heard a statement by the Foreign Minister of Italy on the recent agreements reached on the Trieste problem.¹⁷ The value of these agreements from the Atlantic and European point of view was emphasized.

9. The Council agreed to hold its next Ministerial Meeting on or about 15th December next.

10. The Council reaffirmed that the North Atlantic Treaty remains a basic element in the foreign policies of all member governments. It agreed that there must be the closest possible co-operation between Western European Union and the North Atlantic Treaty Organization in all fields and that any duplication of the work of existing agencies of NATO will be avoided. The Council reaffirmed its unity of purpose in the pursuit of peace and progress. The present conference and the agreements reached represent a new and decisive step in the development of the Atlantic Community.

11. The text of the agreements and documents will be issued separately tomorrow, Saturday, October 23, after the signing ceremony.

White House Consultations on European and Asian Agreements

*Statement by James C. Hagerty
Press Secretary to the President*

White House press release dated October 30

The President met today with the Secretary of State; Mr. Herbert Hoover, Jr., the Under Secretary of State; Mr. Douglas MacArthur, Counselor of the State Department; Livingston T. Merchant, Assistant Secretary of State for European Affairs.

Consideration was given to further constitutional procedures with reference to the agreements designed to restore sovereignty to Germany and to bring Germany into the North Atlantic Treaty Alliance. Similar discussion and consideration was given to the Manila Pact for collective security in Southeast Asia.

The President decided to transmit all of the relevant documents in both these matters to the Senate following its reconvening on November 8th. This is being done with a view to obtaining

the advice and consent of the Senate to the ratification of such of these instruments as require Senate action.

The President hopes that the Senate will refer these instruments to the Foreign Relations Committee for study and report so that the full Senate would be able to act promptly on these matters when it meets for its new session in January.

Reply to U.S.S.R. on "Atoms for Peace" Program

News Conference Statement by the President

White House press release dated November 3

I thought you might be interested in knowing about recent developments in the "Atoms for Peace" program of the United States.

Today John Foster Dulles, the Secretary of State, is delivering to Mr. Zaroubin, the Soviet Ambassador, our reply¹ to the Soviet aide memoire of September 22d.² You will recall that this Soviet message indicated that they apparently wanted to renew the negotiations to implement the proposal which I made to the United Nations last December³ for an international pool of fissionable material and information. I hope that this will start a new phase in the U.S.-U.S.S.R. negotiations which will be more fruitful than the first phase, during which the Soviets showed a lack of interest in cooperating with the United States to further international cooperation in developing the peaceful uses of atomic energy.

Later on this week Ambassador Cabot Lodge is going to give a report on American preliminary plans in connection with the international agency in the Political Committee of the United Nations.⁴ This great project is very close to my heart, and I am glad to see that we are making good progress toward establishing the agency. We are determined to get on with this international project whether or not the Soviets participate.

I am glad to be able to tell you also that Morehead Patterson of New York has agreed to serve under Mr. Dulles, in the Department of State, as United States representative to conduct the diplo-

¹ Not printed.

² BULLETIN of Oct. 4, 1954, p. 486.

³ *Ibid.*, Dec. 21, 1953, p. 847.

⁴ See p. 742.

¹⁷ For text of the agreements, see *ibid.*, Oct. 18, 1954, p. 556.

matic negotiations looking to United States participation in the International Atomic Energy Agency. I am going to see Mr. Patterson tomorrow to tell him about the great importance which I attach to this International Atomic Energy Agency.

Letters of Credence

Spain

The newly appointed Ambassador of Spain, Don José Maria Areilza, Count of Motrico, presented his credentials to the President on November 6. For the text of the Ambassador's remarks and the text of the President's reply, see Department of State press release 630.

U.K.-Egyptian Agreement Regarding Suez Canal Base

STATEMENT BY SECRETARY DULLES

Press release 594 dated October 19

The signing of the final agreement between Egypt and the United Kingdom on the Suez Base is an event of far-reaching importance and an occasion for renewed congratulations to both countries.

This action, following the initialing of the agreement in principle last July,¹ marks the successful resolution of a problem which has existed in some form for many years. Its solution has been facilitated by the development of a spirit of mutual confidence between the two countries which augurs well for their future relations.

I believe that the removal of this deterrent to closer cooperation will open a new approach to peaceful relations between the Near Eastern states and other nations of the free world. It is my hope that this cooperation may now develop fully to the mutual advantage of all concerned and will strengthen the stability and security of the area.

Egypt now assumes new and fuller responsibilities as the military base in the Suez Canal Zone passes from British to Egyptian control. I am pleased to note that in accepting these responsibilities

ties Egypt has reiterated in the agreement its adherence to the principle of freedom of transit through the Canal in conformity with the 1888 convention.

TEXT OF MAIN AGREEMENT¹

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Egypt,

Desiring to establish Anglo-Egyptian relations on a new basis of mutual understanding and firm friendship,
Have agreed as follows:

Article 1

Her Majesty's Forces shall be completely withdrawn from Egyptian territory in accordance with the Schedule set forth in Part A of Annex I within a period of twenty months from the date of signature of the present Agreement.

Article 2

The Government of the United Kingdom declare that the Treaty of Alliance signed in London on the 26th of August 1936, with the Agreed Minute, Exchanged Notes, Convention concerning the immunities and privileges enjoyed by the British Forces in Egypt and all other subsidiary agreements, is terminated.

Article 3

Parts of the present Suez Canal Base, which are listed in Appendix A to Annex II, shall be kept in efficient working order and capable of immediate use in accordance with the provisions of Article 4 of the present agreement. To this end they shall be organised in accordance with the provisions of Annex II.

Article 4

In the event of an armed attack by an outside Power on any country which at the date of signature of the present Agreement is a party to the Treaty of Joint Defence between Arab League States, signed in Cairo on the 13th of April 1950, or on Turkey, Egypt shall afford to the United Kingdom such facilities as may be necessary in order to place the Base on a war footing and to operate it effectively. These facilities shall include the use of Egyptian ports within the limits of what is strictly indispensable for the above-mentioned purposes.

Article 5

In the event of the return of British Forces to the Suez Canal Base area in accordance with the provisions of Article 4, these forces shall withdraw immediately upon the cessation of the hostilities referred to in that Article.

¹ For texts of an annex on withdrawal, an annex on the organization of the Base, 17 exchanges of notes, and an agreed minute, see British Command Paper 9298.

¹ BULLETIN of Aug. 9, 1954, p. 198.

Article 6

In the event of a threat of an armed attack by an outside Power on any country which at the date of signature of the present Agreement is a party to the Treaty of Joint Defence between Arab League States or on Turkey, there shall be immediate consultation between Egypt and the United Kingdom.

Article 7

The Government of the Republic of Egypt shall afford over-flying, landing and servicing facilities for notified flights of aircraft under Royal Air Force control. For the clearance of any flights of such aircraft, the Government of the Republic of Egypt shall accord treatment no less favourable than that accorded to the aircraft of any other foreign country with the exception of States parties to the Treaty of Joint Defence between Arab League States. The landing and servicing facilities mentioned above shall be afforded at Egyptian Airfields in the Suez Canal Base area.

Article 8

The two Contracting Governments recognise that the Suez Maritime Canal, which is an integral part of Egypt, is a waterway economically, commercially and strategically of international importance, and express the determination to uphold the Convention guaranteeing the freedom of navigation of the Canal signed at Constantinople on the 29th of October 1888.

Article 9

(a) The United Kingdom is accorded the right to move any British equipment into or out of the Base at its discretion.

(b) There shall be no increase above the level of supplies as agreed upon in Part C of Annex II without the consent of the Government of the Republic of Egypt.

Article 10

The present Agreement does not affect and shall not be interpreted as affecting in any way the rights and obligations of the parties under the Charter of the United Nations.

Article 11

The Annexes and Appendices to the present Agreement shall be considered as an integral part of it.

Article 12

(a) The present Agreement shall remain in force for the period of seven years from the date of its signature.

(b) During the last twelve months of that period the two Contracting Governments shall consult together to decide on such arrangements as may be necessary upon the termination of the Agreement.

(c) Unless both the Contracting Governments agree upon any extension of the Agreement it shall terminate seven years after the date of signature and the Government of the United Kingdom shall take away or dispose of their property then remaining in the Base.

Article 13

The present Agreement shall have effect as though it had come into force on the date of signature. Instruments of ratification shall be exchanged in Cairo as soon as possible.

In witness whereof the undersigned, being duly authorised thereto, have signed the present Agreement and have affixed thereto their seals.

Done at Cairo, this nineteenth day of October, 1954, in duplicate, in the English and Arabic languages, both texts being equally authentic.

ANTHONY NUTTING.
RALPH SKRINE STEVENSON.
E. R. BENSON.

GAMAL ABDEL NASSER.
ABDEL HAKIM AMER.
ABDEL LATIF BAGHDADI.
SALAH SALEM.
MAHMOUD FAWZI.

U.S. Aid to Viet-Nam

U.S. Ambassador Donald R. Heath on October 23 delivered the following message from President Eisenhower to Ngo Dinh Diem, President of the Council of Ministers of Viet-Nam:

DEAR MR. PRESIDENT: I have been following with great interest the course of developments in Viet-Nam, particularly since the conclusion of the conference at Geneva. The implications of the agreement concerning Viet-Nam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

Your recent requests for aid to assist in the formidable project of the movement of several hundred thousand loyal Vietnamese citizens away from areas which are passing under a *de facto* rule and political ideology which they abhor, are being fulfilled. I am glad that the United States is able to assist in this humanitarian effort.

We have been exploring ways and means to permit our aid to Viet-Nam to be more effective and to make a greater contribution to the welfare and stability of the Government of Viet-Nam. I am, accordingly, instructing the American Ambassador to Viet-Nam to examine with you in your capacity as Chief of Government, how an intelligent program of American aid given directly to your Government can serve to assist Viet-Nam in its present hour of trial, provided that your Government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied.

The purpose of this offer is to assist the Government of Viet-Nam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Viet-Nam in undertaking needed reforms. It hopes that such

November 15, 1954

aid, combined with your own continuing efforts, will contribute effectively toward an independent Viet-Nam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people.

Sincerely,

DWIGHT D. EISENHOWER

With reference to the President's remarks concerning the provision of American aid directly to the Vietnamese Government, the decision was announced in a joint communique issued at Washington on September 29 at the end of the U.S.-French talks on Indochina¹ that the channel for French and for United States economic aid, financial support, and other assistance to Cambodia, Laos, and Viet-Nam would be direct to each state. It was also announced that the United States representatives would begin discussions soon with the respective governments of the three States regarding direct aid.

United States economic assistance to Viet-Nam, as well as to Cambodia and Laos, has been provided directly to these states for some time.

United States financial assistance for the support of the armed forces of Viet-Nam, Cambodia, and Laos, however, has until now been provided through the French Government. As soon as arrangements can be made, financial support for the Vietnamese National Army will be provided directly to the Government of Viet-Nam, as will be done in the case of Cambodia and Laos.

The decision to provide assistance through direct channels conforms with the sense of Congress as expressed in the Mutual Security Act of 1954, which provides that, as far as possible, assistance furnished to Cambodia, Laos, and Viet-Nam should be direct. It also conforms with the previously expressed wishes of the Vietnamese Government, which signified its full accord with the decision.

Relative to the President's reference to United States assistance in the movement of Vietnamese citizens from areas passing under Communist military control, the number so far evacuated, largely through assistance provided to the Vietnamese Government by the United States and France, now comes to over 400,000. Of these, approxi-

mately 140,000 have been evacuated by the U.S. Navy. The United States is also assisting the Government of Viet-Nam in the resettlement of refugees.

Settlement of Debts Represented by German Dollar Bonds

Press release 573 dated October 12

The Allied High Commission for Germany announced on October 1 that the Combined Steel Group had approved and issued an order under Allied High Commission Law 27 for the settlement of the debts represented by the U. S. dollar bonds issued by the Vereinigte Stahlwerke A.G. and one of its subsidiaries.

The settlement will result in transferring the debts in the total amount of approximately \$25 million to nine of the new companies which were formed out of the assets of Vereinigte Stahlwerke A.G., i. L.

There will be no joint liability for the new debts, but the companies concerned will each issue new bonds expressed in dollars to the amount of their liability and will deliver these new bonds to depositories in the United States, the Irving Trust Company and the National City Bank of New York. The depositories will in turn issue participation certificates to the holders of bonds which have been validated in accordance with the validation law for German foreign currency bonds, in exchange for the old bonds, giving each such bondholder an undivided interest in the new obligation held by the depository.

Since participation certificates will be issued only for validated bonds, all holders of old bonds are urged to register them for validation as soon as possible with the Validation Board for German Dollar Bonds, 30 Broad Street, New York, N. Y. The depositories will collect the interest due and the amortization payments for transmittal to the holders of the participation certificates.

A guaranty has been given by the Kreditanstalt fuer Wiederaufbau, Frankfurt/Main, that the deutschemark equivalent of the payments of interest and principal will be forthcoming on the due date.

The new obligation will bear interest as provided for by the London agreement of February

¹ BULLETIN of Oct. 11, 1954, p. 534.

27, 1953, and will mature on January 1, 1968.

Claimants who do not agree with this procedure may appeal to the Board of Review as provided for in the Allied High Commission Laws 27 and

76 within 6 months of the date of issue of the order. Such appeals may be addressed to the board in care of the Allied High Commission at Bonn, Germany.

Some Problems of Charter Review

by David W. Wainhouse

Deputy Assistant Secretary for International Organization Affairs¹

First, let me commend your initiative in organizing this seminar. In meeting here today to study the problems of charter review, you are answering the call of the Secretary of State to contribute your views to your Government. This is a great tribute to the working of responsible American democracy.

Those who participated in the founding of the United Nations in San Francisco in 1945 have not forgotten the warmth of your hospitality and the beauty of your city. Your consideration of the many problems of charter review should be especially well informed because so many of you were able to observe at close hand the birth of the United Nations.

Secretary Dulles, as you know, has already stated that he favors the holding of a review conference. If the General Assembly next fall votes in favor of holding the conference, as is expected, it will presumably take place either in 1956 or at least by 1957.

Meanwhile, the task of preparation has been undertaken. The Secretary has called upon the American public to help develop the position which the United States should take at the review conference. This in itself is an historic step in foreign affairs. It was not so long ago that the conduct of foreign affairs was regarded as the domain of a privileged few. Now it is becoming

more and more responsive to public opinion. Foreign policy in our country is just as effective as the public opinion which supports it. We cannot and do not expect support in such a far-reaching area as charter review without an informed public opinion. That is the way our democracy works.

We are not convinced by arguments that the subject matter is too technical or too controversial for the American public. We believe that, just because it is technical and controversial, it should be discussed as widely and fully as possible. In our society it is far more desirable to debate an issue without settling it than to settle an issue without debating it. The American people today are debating issues of foreign policy and, more than they realize, are helping to condition foreign policy through their debates. Policy makers in the Government are in a better position than ever before to assess and give weight to public opinion in their efforts to find solutions to these problems.

I am glad to report that preparations for the review conference are moving ahead on many fronts. As the result of an overwhelming vote in the General Assembly of last year,² the United Nations Secretariat is now preparing important background documentation in connection with the charter review conference. This will include the publication of some unpublished documents of the original San Francisco Conference in 1945, a survey of present duties of United Nations organs,

¹ Address made before the Bay Area Citizens Committee for U.N. Charter Review, San Francisco State College, San Francisco, Calif., on Oct. 23 (press release 596 dated Oct. 21).

² For text of resolution (A/Resolution/133 dated Nov. 28, 1953), see BULLETIN of Dec. 28, 1953, p. 909.

and a detailed index of the San Francisco Conference documents. This preparatory work can give all members of the United Nations a general idea of the practical adjustments to changing circumstances which have been made in carrying out the provisions of the charter. It can show to what extent the charter has adaptability and capacity for development as a constitutional instrument. It should help clarify where the imperfections of the charter are. And it should show what deficiencies in the charter can be corrected either by changes in the charter or in the rules of procedure.

The policies which the United States will follow at the conference will be determined after the democratic consensus in this country, to which I referred earlier, has made itself felt on the important problems. One of the most effective means in developing this consensus has been the Subcommittee of the Senate Foreign Relations Committee, chaired by Senator Wiley. Under its able Chief of Staff, Dr. Francis Wilcox, it has already completed four excellent studies—on the veto, the development of the United Nations Charter, membership, and representation and voting in the General Assembly.³ These are required reading for all those interested in the subject of charter review.

The Senate Subcommittee itself has been tapping the grass roots of public opinion by holding hearings in many States and areas throughout the United States. Hearings have already been held in Akron, Milwaukee, Greensboro, Louisville, Des Moines, and Minneapolis.⁴ Others are scheduled

³ The first four studies are: *The Problem of the Veto in the United Nations Security Council* (Feb. 19, 1954); *How the United Nations Charter Has Developed* (May 18, 1954); *The Problem of Membership in the United Nations* (May 21, 1954); and *Representation and Voting in the United Nations General Assembly* (September 1954). A fifth study has now been published: *Pacific Settlement of Disputes in the United Nations* (Oct. 17, 1954).

⁴ *Review of the United Nations Charter: Hearing Before a Subcommittee of the Senate Committee on Foreign Relations on Proposals To Amend or Otherwise Modify Existing International Peace and Security Organizations, Including the United Nations.* Part 1: Testimony of John Foster Dulles, Secretary of State, and Henry Cabot Lodge, Jr., U. S. Representative to the United Nations, Jan. 18 and Mar. 3, 1954; Part 2: Akron, Ohio, Feb. 12, 1954; Part 3: Milwaukee, Wis., Apr. 10, 1954; Part 4: Greensboro, N. C., May 15, 1954; Part 5: Louisville, Ky., June 7, 1954; Part 6: Des Moines, Iowa, June 19, 1954; Part 7, Minneapolis, Minn., July 10, 1954.

during the coming months, and I understand that one will be held here in San Francisco. The Subcommittee has already published some 900 pages of these hearings. They reflect a surprising amount of local interest in the subject in these widely scattered parts of the United States. Everyone has an opportunity to present his views. Many divergent viewpoints are expressed. When the Subcommittee finishes its hearings and studies, its report will be awaited with great interest.

The work of the Senate Subcommittee is being supplemented by that of private organizations, such as the Brookings Institution and the Carnegie Endowment for International Peace. These are supporting, or are themselves preparing, serious and detailed studies and are holding seminars with a view to placing their findings at the disposal of our Government. The Department of State is also preparing detailed studies of the problems which relate to charter review. Thus, with an enlightened and informed public opinion, with the recommendations of the Senate Foreign Relations Committee, and the studies of the private organizations, we expect that sometime late in 1955 we will be ready to consult in detail on our specific proposals with our free world allies.

Charter review is basically a political problem. It must be considered in the context of existing relations among states and the demands of the world situation from the standpoint not only of United States interests but also of the parallel interests of the rest of the free world. The United Nations is a voluntary association of sovereign states. It depends on the free cooperation of its members for implementation of its decisions. Care must therefore be taken at a review conference to avoid action which would jeopardize this cooperation and to assure that the decisions reached will contribute to, rather than detract from, the free world's sense of common interest. If the charter review conference is to succeed as an instrument for strengthening the United Nations, it can only do so if the views of other members of the free world are taken fully into account. As Secretary Dulles has aptly put it:

... while a charter review conference should be welcomed as a means of strengthening the United Nations, difference of opinion about how to do this should not then be pressed to a point such that the review conference would result in undermining the United Nations or dis-

rupting it. The United Nations as it is, is better than no United Nations at all.^{*}

Scope of Review

This brings me to the question of what the scope of charter review should be. Should charter review be approached with the thought of doing very little or very much by way of changing the United Nations?

Anyone is, of course, free to suggest any proposal no matter how extreme. We know that there are those who feel that the failure of the United Nations to fulfill all their earlier hopes derives from the fact that it does not go far enough. They advocate its transformation from a voluntary organization of sovereign states into some sort of superstate. At the other extreme are those who are basically skeptical of all worldwide efforts toward international cooperation. They would like to see the United States withdraw from the United Nations. Still others would like to see the U. S. S. R. and its satellites expelled and the United Nations turned into a closely knit military alliance.

While, as I say, these advocates are entitled to express their opinion, we have already found it helpful to think in terms of excluding such proposals from the proper scope of charter review. We believe that the purpose of such review is to strengthen the existing organization, not to destroy it or completely change its character. To try to write a completely new charter would, as the Secretary of State has put it, "open a Pandora's box." The chances of bringing together in a new organization anything approaching the present membership of the United Nations would not be good.

We have made it clear to the General Assembly that we favor *review* of the charter and not necessarily *revision*. As our representative expressed it, "We do not know now whether changes in the Charter will be desirable or possible. . . ." Other countries also have seen the question as one of holding a general conference to survey the charter in the light of the United Nations experience since 1945—to look it over, without any advance commitments or preconceived notions favoring amendment. This is still our basic approach to the problem of charter review. We reject the viewpoint

of the Soviet bloc, which has opposed even discussion of charter review, misconstruing it as a campaign to amend the charter, and to amend it in one particular—by eliminating the veto.

No decision has yet been taken on what amendments to the charter, if any, the United States should advocate. The past 9 years' experience in the United Nations points to certain major questions as likely to arise at any review conference. Let me draw your attention to some of these questions in the hope that you might find it useful in the course of your discussions today.

1. Membership

One of these questions is the scope of the United Nations membership. Nine years ago the United Nations was in a sense much more nearly universal than it is now. Since 1945, many new nations have come into being. A number of the ex-enemy states, excluded from original membership in the United Nations, are again becoming accepted members of the world community. There are now 19 applicants for United Nations membership. Fourteen of these would have become members save for the Soviet veto. The other five—sponsored by the Soviet Union—have never received a majority vote since it has not been thought they met the charter qualifications for membership. This impasse with respect to new members has caused growing concern.

Would it be desirable to make membership in the United Nations as nearly universal as possible, always remembering, of course, that there are some countries that still completely disregard accepted standards of international conduct? Does article 4 of the charter, which speaks of "peace-loving states" who are "able and willing" to carry out the obligations of the charter, set forth the proper criteria for membership? Should the veto on the admission of new members be eliminated? You will recall that the Vandenberg Resolution of June 11, 1948, recommended a voluntary agreement among the five permanent members of the Security Council to remove the veto in this respect, but there has never been such voluntary agreement.

2. Security

It is all too apparent that the Security Council has been unable in this sharply divided world to exercise its "primary responsibility for the maintenance of international peace and security." Are there any feasible charter changes that would en-

^{*} BULLETIN of Feb. 1, 1954, p. 172.

able the Council to discharge more effectively this responsibility? Or should we rely on alternative arrangements? For example, could the charter provisions for membership and voting in the Council be improved?

It is theoretically possible to propose changes, including additions, in the membership of the five permanent members of the Security Council. But such proposals, even if they are not vetoed by one of the present permanent members, do not affect the heart of the problem—that the Soviet abuse of the veto has seriously impaired the Security Council in the security field.

Perhaps some progress can be made in limiting the area of political problems subject to the veto. For example, should the veto be removed from the pacific settlement of disputes under chapter 6 of the charter? This was also recommended by the Vandenberg Resolution, but no success has yet been achieved in that direction. Should we, then, leave the Security Council unchanged and concentrate instead on carrying forward the line of development begun in 1950 with the "Uniting for Peace Resolution"? This would mean assigning greater responsibility in the security field to the General Assembly, where there is no veto. Or, in the present world situation, might we consider leaving primary responsibility for security to collective arrangements and regional organizations authorized by articles 51 and 52 of the charter?

3. General Assembly

The General Assembly has not only grown in importance in the field of security; it has given increasing attention to economic and social problems and to highly charged "colonial" issues. In view of these developments, should there be some type of weighted voting in the General Assembly, reflecting the capacity of members to assume economic and military responsibilities?

Many suggestions have already been put forward in the search for a system which would increase the capacity of the General Assembly to take action in security matters, at the same time protecting the members against irresponsible action in other fields. Some formulae are based on population, some on wealth, some on area, some on ingenious combinations of many criteria. It is important to study all of these very carefully. We must remember, however, that this is not a theoretical exercise but a realistic attempt to improve what we now have. In the last analysis,

what we must decide is whether any new proposal would be clearly superior to the present system of one vote per state with the requirement in article 18 of the charter that decisions on important questions receive a vote of two-thirds of the members present and voting.

Aside from the question of weighted voting, should there be some reallocation of functions as between the Assembly and the Economic and Social Council and the Trusteeship Council to enable the United Nations to function more effectively? The magnitude of the program in the economic and social fields, as well as its importance in strengthening the free world, points also to a re-examination of the relationship between the United Nations itself and the specialized agencies to see whether any greater integration would contribute to the efficient operation of this program.

4. Domestic Jurisdiction

There has been a growing tendency in the United Nations for states whose sympathies are aroused by conditions outside their own boundaries to bring these conditions to the attention of the organization. The current session of the General Assembly, for example, has under consideration such problems as Tunisia, Morocco, Cyprus, and Western New Guinea. This tendency has given rise to questions and in some cases has engendered great apprehension concerning the interpretation of article 2 (7) of the charter, which stipulates that the United Nations shall not intervene in matters essentially within the domestic jurisdiction of a state. It may be asked, therefore, whether article 2 (7) adequately delimits the competence of the United Nations. Or, should a more precise line be drawn between the common interests within the scope of the United Nations and the individual interests that remain the exclusive concern of a member state?

5. Armaments

The framers of the charter were determined "to save succeeding generations from the scourge of war." But the question of regulation of armaments did not receive particular emphasis in the writing of the charter. One can only speculate whether the framers of the charter would have given more attention to disarmament if they had known that within 3 weeks of the signing of the charter the first successful atomic explosion would take place. The awful destructiveness of nuclear weapons and the basic split between the Soviet

bloc and the free world have since heavily underscored the need for finding a solution to this problem. Much effort therefore has been and is being spent by the United Nations on this compelling subject.

Mr. Vyshinsky's speech to the General Assembly last month gave some slight hope that Soviet policy, which has thus far been responsible for lack of progress, might—I repeat, *might*—be changing in the direction of a more constructive approach to a comprehensive disarmament system under effective safeguards. The discussions in Committee I during the last few weeks have not given a feeling of encouragement, but you may be sure that we and our allies will leave no avenue unexplored in seeking agreement with the U. S. S. R. on this crucial question. If it turns out that Soviet policy still blocks progress toward disarmament, the question will remain whether anything was omitted from the United Nations basic structure that, if added now, might assist our continuing effort to reach general agreement on a comprehensive program of safeguarded arms regulation and reduction.

6. International Law

We would all agree, I am sure, that so far too little progress has been made by the United Nations in the advancement of international law. The difficulty is not too hard to find. With one-third of the world's population ruled by those who do not recognize any moral law and look upon law as another means whereby those in power destroy their enemies, we can understand the difficulties encountered in expanding the scope of international law.

Secretary Dulles has asked whether the charter provisions are adequate in view of the importance of law as an accepted standard of international conduct. The question which will confront the review conference is what can be done to improve present United Nations activities in the field of codification and development of international law. What can be done to make the actions of nations more orderly? Should efforts to prepare codes of international law be pressed? Should other countries which have not already done so be encouraged to make declarations accepting compulsory jurisdiction of the code? Should there be established, as suggested by some members of the bar and writers on international law, regional international tribunals with jurisdiction of private in-

ternational claims cases submitted by one government against another when negotiation has been unfruitful?

The Case for Charter Review

I have reviewed for you some of the issues which need to be discussed and on which we need advice. I hope you will not be discouraged if you find that it is hard to answer one question without raising others equally difficult. We in the State Department are going through that process ourselves.

The case for charter review is a strong one. Here in San Francisco in 1945 many states accepted charter provisions to which they strongly objected on the understanding that there would be an opportunity to review these provisions at the end of 10 years. It is only fair that this opportunity be provided them.

Charter review can in addition be the means to achieve a real strengthening of the United Nations. Let us not be deterred by the presence of the veto to block any proposal for charter amendment. We know the Soviets can veto such proposals, but we do not propose to do their negotiating for them in advance.

Charter review should bring about a greater understanding of the potentialities of the charter. That the charter is a document capable of growth can be seen from the dramatic transformation which has made the General Assembly the decisively important organ of the United Nations. It should present a clearer realization of the development within the charter framework that has already taken place in order to meet a world situation not foreseen in 1945. Such a reappraisal could also serve to develop improved practices under the charter.

On the other hand, we must bear in mind that a review conference does have its dangers. The United Nations was never more "sheer necessity," as President Eisenhower described it, than it is now. It remains what the President has called "man's best organized hope to substitute the conference table for the battlefield." We recognize that calling the review conference might arouse false hopes and might stimulate efforts to rewrite the charter which could seriously endanger the United Nations. We are determined to avoid these pitfalls, and we are hopeful that from the charter review conference there will result the stronger United Nations we seek.

We are glad that you will be thinking these problems of charter review through with us. Working together we can in the best democratic

tradition strengthen immeasurably the cause of peace, justice, and security for Americans and for the rest of the world.

International Cooperation In Developing the Peaceful Uses of Atomic Energy

Statement by Henry Cabot Lodge, Jr.

U.S. Representative to the General Assembly¹

Almost 11 months ago many of us in this building heard a speech by President Eisenhower,² who had flown here directly from a conference in Bermuda. His speech addressed itself to the overwhelming problems which then confronted the whole world, and still confront it today.

One problem was the danger of atomic war—wherein one nation could, by surprise attack, inflict grievous atomic damage on the United States and in return receive atomic retaliation of fearsome proportions, leaving a ruin of mangled bodies, cultures, and economic and political systems after the atomic dust had settled.

President Eisenhower knew, and said, that merely to present the threat and to promise retaliation was neither an adequate nor a true picture of the feelings or the purposes of the United States. In the name of the human race, in the name of civilization, in the name of truly peaceful purpose, there had to be the promise of something more than earth-shattering explosions. The President knew, and said, that such a speech had better be left unspoken unless he could add a message of peaceful hope.

In considering how best to present his message of hope, he was faced with a historical fact of controlling significance: the years-long, stubborn problem of negotiating a system for reduction and control of armaments and for the effective elimination of nuclear weapons. Seven years of debate

and negotiations had failed to bring the world closer to this goal.

The President, therefore, decided that to make a proposal which would be wholly within the framework of the trying debates of the past would not be considered, by you or the peoples of the world, an act of hopeful sincerity promising early progress. He wanted to make an offer removed from the aura of past dejection and failure; he wanted to make an offer whose outstanding and unmistakable characteristic was that it was feasible—that it was doable—that men and nations of good will and peaceful purpose could accept easily, and without having to lose face by having to reverse previously stated positions.

And so, on December 8, 1953, standing in the great hall upstairs and before this great Assembly, President Eisenhower said:

I therefore make the following proposals:

The Governments principally involved, to the extent permitted by elementary prudence, to begin now and continue to make joint contributions from their stockpiles of normal uranium and fissionable materials to an International Atomic Energy Agency. We would expect that such an agency would be set up under the aegis of the United Nations.

The ratios of contributions, the procedures and other details would properly be within the scope of the "private conversations" I have referred to earlier.

The United States is prepared to undertake these explorations in good faith. Any partner of the United States acting in the same good faith will find the United States a not unreasonable or ungenerous associate.

Undoubtedly initial and early contributions to this plan would be small in quantity. However, the proposal has the great virtue that it can be undertaken without the irritations and mutual suspicions incident to any

¹ Made in Committee I (Political and Security) on Nov. 5 (U.S. delegation press release 2000).

² BULLETIN of Dec. 21, 1953, p. 847.

attempt to set up a completely acceptable system of worldwide inspection and control.

The President described the main purpose of the new international agency in these words: "to devise methods whereby this fissionable material would be allocated to serve the peaceful pursuits of mankind." He mentioned specifically the fields of agriculture, medicine, and electric power. Then he added:

The United States would be more than willing—it would be proud to take up with others "principally involved" the development of plans whereby such peaceful use of atomic energy would be expedited.

Of those "principally involved" the Soviet Union must, of course, be one.

The President wished to take every precaution in order to insure that the Soviet Government would take this proposal at its serious, sincere, long-term face value and not interpret it as a short-term propaganda trick.

To insure this, he did two things. First, our Ambassador in Moscow was instructed to advise Mr. Molotov, in advance of the delivery of the speech, that it would contain material of serious import and that we wished the Soviet Government so to consider it. Besides, after the speech was made, and awaiting an initiative from the Soviet Union to hold private conversations, all individuals and agencies of the United States Government were instructed to remain silent as to the details of the proposal and to confine themselves, if the need for explanation arose, to a simple reiteration of the President's own text and the statement that we were awaiting word from the Soviet Union.

The President's second concern had to do with this very body—the United Nations. When he received Secretary-General Hammarskjöld's invitation to address you, he chose to make his proposal before this body, and no other, because he wished the world to know that, in this overwhelmingly important matter, he turned to the United Nations as the international organism most appropriate both to hear the original enunciation of the proposal and to participate in the development of the plan.

Sequel of the President's Proposal

You all know the positive and hopeful response which greeted the President's proposal from all parts of the world. This response has greatly heartened the United States in its work with other states in developing a plan of action.

You know, too, that there was one disappointment—a rejection by the U.S.S.R of the President's proposal until the United States would agree to an unconditional and unsafeguarded ban on the use of atomic weapons. The story of that is contained in a United Nations document which is before you, Document A/2738 of 27 September 1954.³ Beginning on April 27 and continuing throughout this exchange of notes, the Soviet Union insisted that our new hope be shackled to the long debates of the past, where the difficulties of even the smallest progress had been so amply demonstrated.

True enough, the Soviet Union told us in a note delivered on September 22, 1954⁴—the day before the Secretary of State made his opening address to the General Assembly—that it was keeping the door open a tiny crack. Actually the door had been thrown wide open on December 8, 1953, by the United States and has been kept wide open by the United States ever since. The door is still open.

On learning of the essentially negative Soviet attitude, the United States lost no time in proceeding with conversations with other states—conversations whose initiation had awaited only a clear expression of the Soviet position. The states with which we have been conferring are those which have either developed raw material resources or advanced atomic energy programs and are engaged in developing this great force—namely, the United Kingdom, France, Canada, Australia, Belgium, Union of South Africa, and Portugal. It is significant that all of us agreed that, despite the refusal of the Soviet Union to participate, we should move ahead with formation of the agency. Our discussions have made some progress, as we shall later point out.

It was in these circumstances that Secretary of State Dulles spoke to this Assembly last September 23d and said:

The United States is determined that President Eisenhower's proposal shall not languish until it dies. It will be nurtured and developed. We shall press on in close partnership with those nations which, inspired by the ideals of the United Nations Charter, can make this great new force a tool of the humanitarian and of the statesman, and not merely a fearsome addition to the arsenal of war.

The United States is proposing an agenda item which

³ See also *ibid.*, Oct. 4, 1954, p. 478.

⁴ *Ibid.*, p. 486.

will enable us to report on our efforts to explore and develop the vast possibilities for the peaceful uses of atomic energy. These efforts have been and will be directed primarily toward the following ends:

(1) The creation of an international agency, whose initial membership will include nations from all regions of the world. It is hoped that such an agency will start its work as early as next year.

(2) The calling of an international scientific conference to consider this whole vast subject, to meet in the spring of 1955, under the auspices of the United Nations.

(3) The opening early next year, in the United States, of a reactor training school where students from abroad may learn the working principles of atomic energy with specific regard to its peacetime uses.

(4) An invitation to a substantial number of medical and surgical experts from abroad to participate in the work of our cancer hospitals—in which atomic energy techniques are among the most hopeful approaches to controlling this menace to mankind.

I would like to make it perfectly clear that our planning excludes no nation from participation in this great venture.

Just this past Wednesday, November 3, President Eisenhower announced that the United States had delivered to the Soviet Ambassador in Washington a reply to the Soviet note of September 22, and that the President hoped that this would start a new phase in the U.S.-Soviet negotiations which might be more fruitful than the past efforts. The President reiterated, however, that the United States is determined to proceed with likeminded states in establishing an international agency to make this great power available to mankind generally as a boon which would benefit us all.

This is the history, briefly told, of the first year of efforts to create an international organization to insure world cooperation in the peaceful uses of the atom. The thought that has governed all our suggestions is that what we propose to do is feasible—is doable.

However, before we probe the future of international cooperation in this field, let us see where we stand today; let us review briefly the scientific developments that have brought us beyond the threshold of the atomic age.

The Threshold of the Atomic Age

This moment of our discussion is a moment of excitement and challenge in the science and art of the atom. We in this hall are dealing with something more than the resolutions and amendments and forms of organization which are the tools of

our diplomatic trade. We are dealing with the knowledge of a force, the mastery of a force, whose gigantic power of destruction is exceeded only by its power for human good.

Even we, as laymen, are aware of the thrilling sense of discovery in the minds of the scientists who have been able to put this gift in our hands. If we can share that sense of discovery, then we may hope that our diplomatic progress will be a worthy match for the physical progress that has been brought about by the most adventurous scientific minds of our century.

A few key facts of that atomic progress show clearly that we have already passed the threshold of the peaceful atomic age. The summary which follows herewith will not touch on the achievements in other countries, which are equally promising and of which we shall doubtless hear more in the course of this debate.

We are in the presence of a whole range of atomic discoveries. Of all these discoveries, one of the most advanced for human benefit today stems from the use of the radioactive isotope. Many elements long known to physics, such as gold, cobalt, and carbon, can be changed in atomic reactors into new versions of themselves—radiogold, radiocobalt, radiocarbon, and so forth. A change in their atomic structure makes them give off rays. These rays have two main uses. They can bring about changes in living things. And they can be used as tracers, giving off signals to detection machines, to control the intricate processes of industry or to reveal new facts about the growth and diseases of plants and human beings that had never before been known to man.

Here are a few examples of how these isotopes have already been applied in the United States. Many of these are already well known to technicians in other countries.

First, consider the changing of living things by radiation.

In treatment of cancer, radioactive cobalt and other elements have brought great progress in the killing of cancerous cells, far more effectively than the old X-ray machines.

Radiation has made it possible to preserve and store food without spoiling throughout the winter and spring.

In the development of new agricultural strains, radiation has been used to speed up many times over the genetic mutations from which new and

Draft Resolution on Atomic Energy Plan¹

U.N. doc. A/C.1/L.105 dated November 6

The General Assembly,

Believing that the benefits arising from the momentous discovery of atomic energy should be placed at the service of mankind,

Hoping that international co-operation in developing and expanding the peaceful uses of atomic energy will assist in lifting the burdens of hunger, poverty and disease,

Believing also that all nations should co-operate in promoting the dissemination of knowledge in the realm of nuclear technology for peaceful ends,

A. Concerning an International Atomic Energy Agency

Recalling the initiative of the President of the United States embodied in his address of December 8, 1953,

Noting that negotiations are in progress for the establishment as quickly as possible of an International Atomic Energy Agency to facilitate the use by the entire world of atomic energy for peaceful purposes, and to encourage international co-operation in the further development and practical application of atomic energy for the benefit of mankind,

1. *Suggests* that, once the Agency is established, it negotiate an appropriate form of agreement with the United Nations, similar to those of the specialized agencies;

2. *Transmits* to the States participating in the creation of the Agency, for their careful consideration, the record of the discussion of this item at the present session of the General Assembly;

3. *Suggests* that members of the United Nations be informed as progress is achieved in the establishment of the Agency;

B. Concerning the International Conference on the Peaceful Uses of Atomic Energy

¹ Sponsored by Australia, Belgium, Canada, France, Union of South Africa, United Kingdom, and United States.

1. *Declares* the interest and concern of the General Assembly in helping in every feasible way to promote the peaceful applications of atomic energy;

2. *Decides* that an international technical conference should be held under the auspices of the United Nations, to explore means of developing the peaceful uses of atomic energy through international co-operation and, in particular, to study the development of atomic power and to consider other technical areas—such as biology, medicine, radiation protection and fundamental science—in which international co-operation might most effectively be accomplished;

3. *Invites* all States Members of the United Nations or of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the atomic energy field;

4. *Suggests* that the international conference should be held no later than August 1955 at a place to be determined by the Secretary-General and by the Advisory Committee provided for in paragraph 5;

5. *Requests* the Secretary-General acting upon the advice of a small committee composed of representatives of _____ to issue invitations to this conference, to prepare and circulate to all invitees a detailed agenda, and to provide the necessary staff and services;

6. *Suggests* to the Secretary-General and the Advisory Committee that, in making plans for the international conference, they consult with competent specialized agencies, in particular the Food and Agriculture Organization, the World Health Organization, and the United Nations Educational, Scientific and Cultural Organization;

7. *Invites* the interested specialized agencies to designate persons to represent them at the conference;

8. *Requests* that the Secretary-General circulate for information a report on this conference to all Members of the United Nations, and to other Governments and specialized agencies participating in the conference.

better strains are derived—strains which resist disease and produce better foods and fibers in greater abundance.

Second, consider the use of isotopes as tracers. The applications in this realm of scientific discovery are already multitudinous and in theory are without limit. For instance:

In manufacturing flat sheets—metal, paper, plastic, or any material—their thickness is kept constant by measuring the strength of atomic radiation through the moving sheets.

In welding and riveting, radiation photography

shows up flaws which were once extremely difficult to detect.

In oil pipelines, a radioactive pellet is dropped in the flowing pipe to signal the exact moment when a new kind or grade of oil arrives at its destination.

In agriculture, radioactive tracers mixed into fertilizers show exactly when and how efficiently the fertilizer is absorbed by growing plants—thus saving tremendous waste.

In the poultry industry, chicken feed is traced through the body of the hen until it is converted

into an egg—showing what kind of feed should be given, and at what time, to produce eggs most efficiently.

In fish breeding, tracers have shown where simple chemical treatment could be used to convert sterile bogs into lakes swarming with food fish.

In medicine, tracer research has given us a new synthetic material for blood transfusion; tracers are used to detect faulty blood circulation before it is fatal, and to perform many other miracles of diagnosis; tracers have brought new discoveries about diabetes, thyroid disorders, blood diseases, and, in fact, the entire process by which the living body is nourished and sustained.

In control of epidemics, tracers have been used to follow the migration of disease-bearing flies and mosquitoes, which is an essential step in stamping out these scourges.

These, at the beginning of the atomic age, are a few of the discoveries already made and put to work. Still other projects are well under way, among which perhaps the most extraordinary is the research into the mysterious process of plant growth called photosynthesis, the understanding of which may some day enable us to manufacture vast quantities of inexpensive food out of common chemicals. The effect of this on the standard of living can be conjectured.

Every one of these advances has at its center the use of radioactive atoms. Most of these can be produced in comparatively small atomic reactors. In the United States the chief factory for these isotopes is the Oak Ridge National Laboratory. From Oak Ridge in the past 8 years nearly 50,000 shipments of isotopes have been sent out to factories, laboratories, hospitals, and universities. Most of these have been sent within the United States, but over 2,800 have gone to 50 countries abroad.

It is fitting that the most imposing and most difficult application of atomic energy should be mentioned last: the production of electric power. This is a subject of intensive engineering research in the United States today. This year the Atomic Energy Commission launched a 5-year program for the building of five experimental power reactors in the United States, all radically different in design. None of these is expected to produce power at prices that compete with power plants that burn coal and other conventional fuels. But they will tell us a great deal about the future of

atomic power. For the knowledge we shall all gain from them, these plants will be worth the investment. They point the way to an age when all countries can be assured of abundant electric power, even where natural fuels are scarce. On the basis of this power, new industries can grow to enrich the lives of many millions of people.

One fact stands out about the atomic power reactor, even today in the minds of laymen, and that is its great complexity. This calls for expert knowledge and is another reason why smaller reactors should be built in as many parts of the world as possible. These small research reactors can be built in a year's time for well under \$500,000 in many cases. They will produce most of the radioactive isotopes whose multitude of uses I have tried to describe. They will thus make possible a great increase both in research and in the practical application of the atom in medicine, farming, and industry. But beyond this, they will afford training grounds throughout the world at which a new generation of atomic scientists, engineers, and technicians will learn the principles of reactor technology. Having mastered the research reactor, we will then be moving toward what the world scarcely yet possesses—a body of men trained in all the techniques which will be needed to bring us practical atom power.

Mr. Chairman, the brief report just given on atomic progress in the United States describes many startling advances, discoveries which have already made the world a richer place. Yet these are no more than the nuggets which lie at the surface of a newly discovered mine. They are enough to give us some notion of the undiscovered wealth that lies below.

To tap that wealth in peace and cooperation should be a noble enterprise for the nations of the world. It is fitting that the discovery which brings us together in peace comes from the hands of one of the truly global fellowships of mankind—the fellowship of science, which knows no national boundaries and seeks truth and human betterment. There could be no more fitting salute to this world fellowship of science than our common determination to share some of the atomic knowledge and wealth we already possess, in order that all of us may possess more.

In this spirit, the United States is prepared to make contributions of several kinds to the next forward steps in the atomic field.

Next Step Forward

Having thus crossed the threshold of the atomic age, we come to the question of the next steps by which we can explore this new world. Here we reach the specific activities which we contemplate for the international agency. We believe that the agency should encourage worldwide research in and development of the peaceful uses of atomic energy; it should arrange for nuclear materials to meet the needs of research, development, and practical application to all manner of peaceful activities, including the eventual production of power. We believe the agency should foster the interchange of information on peaceful uses. We expect that the international agency will conduct its activities in such a way as to prepare for the time when the use of atomic energy for peace becomes the predominant and perhaps the exclusive use of this great force.

The agency should be created by a treaty which in our opinion should define the standards and principles governing the organization in the discharge of its functions. All states which originally ratified the agreement should become members of the agency, and there should be a provision for accepting additional members. We believe that members should accept an obligation to supply materials and information for the work of the agency, financial support, facilities for open discussion and contacts among scientists engaged in peaceful research activities.

There is so much to be done that it would be inconceivable for the international agency to carry on all the activities from the outset. As a practical matter the international agency can carry on only a few of the activities in the immediate future—those most suitable to it. Nevertheless, the other activities will and must proceed simultaneously, since they are all part of the basic program of steady forward movement into the atomic age.

We are prepared to start discussion with other countries for the conclusion of bilateral agreements which will make it possible for us, under our laws, to furnish technical information, technical assistance, and necessary amounts of fissionable material for the construction and operation of research reactors to be located abroad.

Now, let me tell you about the progress which the United States is prepared to carry out pending the creation of the agency, partly as a result of the recent amendments to our own Atomic

Energy Act. All these activities will be coordinated with the international agency's own program and may later be undertaken by the agency itself.

No one has to be a scientist to appreciate the fact that basic to success in the development and use of power-producing reactors in any country is the existence of a body of trained technical men. I shall now speak in terms of what the United States Government is prepared to do in 1955—next year—in this field of training.

First comes the field of nuclear reactors. We are prepared to establish a Reactor Training School early in 1955. The first course of this school would deal not only with atomic power theory but the application of that theory.

Our present plans call for inviting between 30 and 50 scientists and engineers from overseas to study practical reactor engineering, in order to furnish sufficient basic science and engineering knowledge to permit the members of this group not only to understand the theory but to become competent to operate reactors.

Initially the atomic information available to the members of this course will be nonsecret. But as the United States and other countries conclude the bilateral agreements required by the Atomic Energy Act of 1954, additional information will be made available. From the outset, however, the courses offered will give scientists and engineers a basic knowledge of the all-important experimental phases and principles of research reactors; and these are the essential training ground for the far more complicated power reactor.

Second comes the field of safety. Because we are dealing with a power which is both a danger and a boon, it is necessary also that special training courses in radiation safety and medicine should be instituted simultaneously with any training in atomic power development. We propose, therefore, to establish under the sponsorship of the United States Atomic Energy Commission the following courses which will be open to all other nations:

Industrial Medicine—a 1- to 2-year course given by the American universities having a relationship to the Atomic Energy Commission in the medicinal treatment required in industries concerned with atomic energy activity.

Industrial Hygiene—courses in the techniques of main-

taining healthful conditions in industries dealing with hazardous atomic materials.

Radiological Physics and the Theory and Use of Radiation Instruments—instruction to be given at the Brookhaven National Laboratory.

Third in our training program comes the vast field of atomic biology and medicine. The Argonne Cancer Hospital at the University of Chicago, the Brookhaven National Laboratory, and the Cancer Research Hospital at the Oak Ridge Institute of Nuclear Studies will be open for 1- to 2-year courses on the use of atomic energy in medicine and biology, for approximately five to ten foreign students per course.

The field of cancer is so important, and other countries have made such strides, that we do not wish to restrict our collaboration simply to the study of our techniques. We are therefore prepared to invite as many as 150 competent and distinguished visitors in the field of cancer research from overseas to visit our cancer research facilities during 1955. These guests will not only be free to study our facilities and techniques but will also be encouraged to exchange views with our doctors and scientists.

Fourth and last in our training program comes the field of radioisotope tracer techniques, whose rapid development we have already discussed. In this field, until now, the Atomic Energy Commission has been able to conduct only a limited training program for foreign scientists. The Commission is now prepared to establish special courses for foreign technicians to begin early in 1955—these courses to cover a 4-week period and to be divided into laboratory work, lectures on laboratory experiments, and seminars on special topics. The laboratory experiments would cover the use of instruments, the purification and separation of radioactive from inert materials, and the application of various isotope techniques to all fields of research.

Stated in statistical terms, the training courses we propose in safety, medicine, and biology would bring basic knowledge and training to more than 250 technical men from other nations in the course of the next 12 to 15 months—the limitation on numbers being imposed not by our desire to restrict the sharing of this knowledge but simply by our ability to absorb this number of observers, students, and trainees effectively and efficiently within our present facilities.

So much for our early plans for training.

Closely allied to this is the question of written information about the atom. We anticipate that from the outset the international agency will carry on a series of information and service activities, obtaining information from the operations of member states in connection with their own atomic energy programs and from the agency's own activities. Here is a brief outline of the type of information materials which the United States is prepared to make available in 1955 to the international agency when it is set up.

Contrary to popular belief, the United States has, ever since the beginning of its atomic development, made available, through published documents of the Atomic Energy Commission and articles in scientific journals, a vast body of research material on the peaceful uses of atomic energy. Yet the aura of mysterious monopoly still persists in the popular imagination.

You may be surprised, as I was, to realize that, up to now, the publication by the United States of documents available to all on the peaceful uses of atomic energy comes to more than 10,000 papers totaling more than 200,000 pages of data.

Always mindful of the day when it might be beneficial to present this material in package form despite the fact that it has always been available in individual items, we have accumulated 10 complete libraries of our own material, which we are prepared to give to the principal technical libraries of cooperating nations. And we will provide more than 10 if there is a demand for more.

Besides these libraries of our own material, we are prepared to provide complete sets of index cards and our journals of the past 7 years, abstracting 50,000 scientific and technical books and reports, published in all countries. Stated in physical dimensions, what we are prepared to furnish to each one of these foreign libraries is the equivalent of more than 300 lineal feet of published reports and over 200,000 index cards.

Furthermore, we will add to all of these libraries as the material is published, asking only in return that the cooperating nations provide their collections of official nonsecret papers, not available in the general scientific literature, to be placed in the appropriate libraries in the United States.

In addition to training and publication, there is a third step which we must take in the field of research and development. We must further develop the practical applications of the atom to medicine, agriculture, and other peaceful activities.

ties, including the eventual production of power. The international agency will immediately encourage the development of such research activities and will seek to arrange for nuclear materials to meet the needs of research all over the world. It must be recognized, however, that the bulk of research on the atom will continue to be carried on by individual states.

These are the chief forward steps which we in the United States contemplate for 1955. As the President has assured you, atomic materials for projects sponsored by this agency will be set aside for that purpose. We are confident that corresponding contributions to the common enterprise will be made by others. Some steps will be taken by individual states, others by the international agency, and others partly by the states and partly by the agency. In every case we should be guided by the principle that the agency will concentrate on those things which cannot be done, or done not so well, by states and private groups acting alone.

All these steps together, during this coming year, 1955, will bring us measurably further along the road that leads into the peaceful atomic age.

The United States initiated its "Atoms for Peace" proposal through the United Nations. We hope that it will be possible to create the kind of international organization which will be competent rapidly, effectively, and fairly to bring this priceless boon to untold millions beyond our shores.

It is our belief that a relationship should be established between the agency and the United Nations similar to that of the specialized agencies. The exact terms of the relationship must, of course, await creation of the agency itself. The agency will be created by negotiations among interested governments. These negotiations, already in progress, will lead to the conclusion of a treaty subject to the usual constitutional processes of ratification. The International Atomic Energy Agency would consult and cooperate as appropriate with other United Nations bodies whose work might be related to that of the agency, as well as with national atomic energy organizations and regional organizations such as the Organization for European Nuclear Research (OENR).

It would not be practicable to spell out the possible relationships any more precisely at this time until we know better just exactly what the agency will look like when it comes into being. While

there has been a certain amount of general agreement among the states which are negotiating the creation of this agency on some of the administrative features, it does not seem possible to go into these negotiating matters in great detail now. You will recognize that the negotiations must take into consideration the views of the eight negotiating states in the light of their special position in the atomic energy field and also of other states which we hope will participate. In the main the negotiations have followed the line which we indicated in the March 19 outline which we submitted to the Soviet Union and which is before the committee.⁵ But there may be changes.

It may be appropriate at this point to mention one problem that has come up in the negotiations. Originally the United States visualized that the international agency would hold fissionable materials itself. But after the Soviet rejection of the United States proposals, all the negotiating states concluded that it might be preferable that the agency act as a clearinghouse for requests made to the agency by the various beneficiaries. The donor state would earmark fissionable materials for the agency's operations and would transfer those fissionable materials directly to the projects approved by the agency. Since the resources of the agency obviously will be limited, it seems more useful to us to use the resources available to the agency for additional programs rather than for expensive custodial arrangements.

As I said earlier in this statement, the desire and purpose of the United States is that what we do shall remain within the area of the feasible and the doable and not become hampered by being placed in the context of unending arguments or insuperable vetoes. We are proceeding as rapidly as possible, determined that this hopeful enterprise shall not be deterred nor delayed nor interminably frustrated by any who may not wish the blessing of atomic energy to be spread throughout the world.

The resolution which we intend to cosponsor will reflect this desire to go forward as rapidly as possible for the benefit of the entire world.

International Conference

One further way in which the United Nations can contribute materially, in advance, toward the

⁵ *Ibid.*, p. 480.

goal of extending to all peoples the benefits of atomic energy is by convening an international conference to discover the field in which progress would be technically feasible and to develop procedures whereby the nations of the world can make known their wants.

The United States intends to support such a conference fully and will send as our representatives qualified scientific and technical persons of the highest calibre that we possess. Our Atomic Energy Commission will remove restrictions from information and make it available in the hope, thereby, of contributing to the value of the conference. Other states will undoubtedly do as much.

The United States has long believed that such a conference of scientists and of government officials concerned with their nations' atomic energy development would materially contribute to the knowledge of the participants and correspondingly benefit their countries. The opportunity to exchange information and become better acquainted with each other's problems in the vast field now opening before our eyes as the beneficial uses of atomic energy become both more feasible and more numerous would be fruitful.

Most of the participants in the conference will undoubtedly be government representatives, many of whom will be experts in the field. The United States believes it appropriate also to invite representatives of various specialized agencies whose tasks are such that the discussions at the conference would be of direct interest. We include in this category such agencies as UNESCO, the ILO, the WHO, and the FAO.

In order to organize the conference, issue invitations, prepare an agenda and rules of procedure, the Secretary-General of the United Nations should act on the advice of a committee composed of representatives of certain states members of the United Nations. For this advisory committee of states, we have in mind a membership which would meet two essential qualifications: knowledge of atomic energy development and appropriate geographic representation.

We recommend that the conference should discuss topics such as probable world power requirements, the possible contribution of atomic energy to meet deficits in conventional fuels, the economics of nuclear power, the health and safety aspects of atomic energy, among other matters.

Discussions could be held on nuclear technology, on reactor application in research and power, on medical and biological applications of atomic energy, on industrial application of radioactive products.

We know that its reports and conclusions would be of great import both to the International Atomic Energy Agency, when it is established, and to individual countries so far as their own atomic energy programs are concerned.

We intend to cosponsor a draft resolution in this committee which will reflect the views just expressed. We believe it will indicate the best pattern for practical United Nations participation in this great work of international cooperation in developing the use of the atom for peace. In cosponsoring this resolution the United States would express its wish to proceed with you on the fulfillment of this program—whose only purpose, in the words of President Eisenhower last December, is "to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life."

Vote on Disarmament Resolutions

*Statement by James J. Wadsworth
U.S. Representative to the General Assembly¹*

In these brief remarks I do not propose to go into the substance of the full and extremely valuable debate that was held in the First Committee on the subject of disarmament. I echo the satisfaction with which others have hailed the unanimity of the vote on these resolutions in the committee, and also the agreement achieved between the members of the so-called London subcommittee in sponsoring these resolutions. No less, Mr. President, do I hail the unanimity with which these same powers and many other representatives of delegations have openly recognized that we have a long and rocky road to travel. Anything less than this sober recognition of the realities would give

¹ Made in plenary session on Nov. 4 (U.S. delegation press release 2008). On that date the Assembly approved unanimously the resolution which had been adopted (also by unanimous vote) in Committee I on Oct. 27; for text, see BULLETIN of Nov. 1, 1954. The Assembly's resolution (A/Resolution/216) refers two other proposals to the Disarmament Commission for consideration: A/C.1/L.100/Rev.1, submitted by India, and A/C.1/L.101/Rev.1, submitted by Australia and the Philippines.

poor service to the cause to which we are devoted. For our part, in voting for these resolutions today, we pledge our continued and constant efforts to achieve the common goal.

U. S. Delegations to International Conferences

Metal Trades Committee of ILO

The Department of State announced on October 26 (press release 607) that the United States would be represented at the fifth session of the Metal Trades Committee of the International Labor Organization (ILO) at Geneva, October 25–November 6, by the following delegation:

Representing the Government of the United States

Delegates

Hersey E. Riley, Chief, Division of Construction Statistics, Bureau of Labor Statistics, Department of Labor
William A. Vanstory, Consultant, Business and Defense Services Administration, Department of Commerce

Representing the Employers of the United States

Delegates

Martin F. Burke, Personnel Director, United Aircraft Corporation, East Hartford, Conn.
Herbert M. Ramel, Vice President, Moog Industries, Incorporated, St. Louis, Mo.

Representing the Workers of the United States

Delegates

Thomas Crowe, International Vice President, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL
Victor Reuther, Assistant to the President and Director, Department for International Affairs, Congress of Industrial Organizations

Adviser

Edward Cote, Co-Director of Region 1–A, International Union, United Automobile, Aircraft and Agricultural Implement Workers of America

The Metal Trades Committee is one of eight industrial committees established by the ILO to deal with problems in some of the most important international industries. Representation on each of the committees is tripartite in nature, with government, employer, and worker representatives from member countries.

At the fifth session, the Committee will concern itself primarily with discussion of (1) a report

relating to production and employment at a high level in the metal trades, which report contains an analysis of the output, as well as of the factors affecting the demand for and of measures which might stabilize the demand for, various metal products and (2) a report on practical methods of labor-management cooperation in metal working plants, which report contains an examination of eight examples of satisfactory in-plant collaboration in Canada, France, Switzerland, Sweden, the United Kingdom, and the United States. The Committee will also consider a general report in which particular attention is paid to developments in the metal trades industry in various countries since the Committee's last session, Geneva, April 21–May 2, 1952, and to important events and developments in the metal trades industry.

In addition to the United States, the following countries have been invited to send tripartite delegations to the meeting: Australia, Belgium, Canada, Czechoslovakia, Denmark, Finland, France, the Federal Republic of Germany, India, Italy, Japan, Mexico, the Netherlands, Norway, Poland, the Union of South Africa, Sweden, Switzerland, and the United Kingdom.

TREATY INFORMATION

Current Actions

MULTILATERAL

Customs Tariff

Protocol modifying the convention signed at Brussels July 5, 1890 (26 Stat. 1518), relating to the creation of an International Union for the Publication of Customs Tariffs. Done at Brussels December 16, 1949. Entered into force May 5, 1950.¹
Ratification deposited: Brazil, September 21, 1954.

Germany

Protocol to the North Atlantic Treaty on the accession of the Federal Republic of Germany. Signed at Paris October 23, 1954.

Enters into force when (a) each of the parties to the North Atlantic Treaty has notified the United States of its acceptance thereof, (b) all ratifications of the Protocol Modifying and Completing the Brussels Treaty

¹ Not in force for the United States.

have been deposited with Belgium, and (c) all ratifications or approvals of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Federal Republic of Germany. Upon entry into force of the Protocol, an invitation to accede to the North Atlantic Treaty shall be communicated to the Federal Republic of Germany by the United States on behalf of all parties to the Protocol.

Protocol on the termination of the occupation regime in the Federal Republic of Germany, with five schedules, and related letters. Signed at Paris October 23, 1954, by the United States, France, the Federal Republic, and the United Kingdom.

Enters into force upon the deposit of ratifications or approvals by all signatories.

Convention on the presence of foreign forces in the Federal Republic of Germany. Signed at Paris October 23, 1954, by the United States, France, the Federal Republic, and the United Kingdom.

Enters into force upon the deposit of ratifications or approvals by all signatories and the deposit of the accession of the Federal Republic to the North Atlantic Treaty. Open to accession by any State not a signatory which had forces in the Federal Republic of Germany on the date of signature of the Protocol on the Termination of the Occupation Regime; accession to be effective on the date of entry into force of the Convention or the date of deposit of accession, whichever is later.

Tripartite agreement on the exercise of retained rights in Germany. Signed at Paris October 23, 1954, by the United States, France, and the United Kingdom.

Enters into force upon the entry into force of the Protocol on the Termination of the Occupation Regime.

Trade and Commerce

Third protocol of rectifications and modifications to the texts of schedules to the General Agreement on Tariffs and Trade (TIAS 1700). Done at Geneva October 24, 1953.²

Signed definitively: Germany, September 27, 1954; Dominican Republic, October 15, 1954; Burma, October 4, 1954.

BILATERAL

Belgium

Agreement to facilitate the interchange of patent rights and technical information for defense purposes. Signed at Brussels October 12, 1954. Entered into force October 12, 1954.

Germany

Agreement relating to the exchange of official publications. Effected by exchange of notes at Washington October 27, 1954. Entered into force October 27, 1954.

Treaty of friendship, commerce and navigation, with protocol and exchanges of notes. Signed at Washington October 29, 1954. Enters into force one month after the exchange of instruments of ratification.

Libya

Agreement relating to economic aid. Effected by exchange of notes at Benghazi September 9, 1954. Entered into force September 9, 1954.

Agreement relating to military bases in Libya, with memorandum of understanding. Signed at Benghazi September 9, 1954. Ratified by Libya October 21, 1954.

Entered into force: October 30, 1954 (the date of receipt by the United States of notification of ratification by Libya).

² Not in force.

Spain

Agreement confirming the bilateral arrangements for a facilities assistance program pursuant to the mutual defense assistance agreement of September 26, 1953 (TIAS 2849). Effected by exchange of notes at Madrid April 9, May 11 and 19, 1954. Entered into force May 19, 1954.

THE DEPARTMENT

Determination in Case of John Paton Davies, Jr.

Statement by Secretary Dulles

Press release 629 dated November 5

Executive Order 10450, issued pursuant to the act of August 26, 1950, became effective May 27, 1953. It deals with "Security Requirements for Government Employment." It establishes new criteria for continuing employment by the United States. These criteria related not only to loyalty but also to reliability and trustworthiness. The new security program which this order establishes provides for various procedures culminating in a final determination by the head of the Department as to whether continued employment "is clearly consistent with the interests of the national security." If not, the head of the Department is required to terminate the employment.

The Executive order requires that the cases of all Departmental and Foreign Service employees who had been investigated under the provisions of the old loyalty program should be readjudicated under the new security standards established by the new Executive order. Accordingly, the case of John Paton Davies, Jr., previously so investigated, came on for readjudication.

On December 29, 1953, the Department's Office of Security concluded that Mr. Davies should be suspended and processed under the new security program.

On January 20, 1954, I directed that a statement of charges be submitted to Mr. Davies with a view to obtaining his sworn answers prior to my determination with reference to his possible suspension. This was done and Mr. Davies made his sworn answers.

I thereupon made a careful examination of the charges, the answers, and the information upon which the charges were based. I concluded that the matter required further inquiry. In this connection it might be noted that Mr. Davies had previously told me that he would welcome whatever further examination I deemed appropriate. Accordingly, on March 23, 1954, I asked that a Security Hearing Board be designated to consider the case. Mr. Davies voluntarily accepted the jurisdiction of the Security Hearing Board and was not then suspended as would have been the normal procedure. I agreed to nonsuspension because I concluded that under the circumstances then prevailing the interests of the United States would not be prejudiced thereby.

On May 14, 1954, a Security Hearing Board of five persons, drawn from other agencies, was duly designated and convened for the purpose of conducting a hearing according to the statute, the Executive order above referred to, and Departmental regulations. After the Board had studied the complete record, it held hearings throughout the latter part of June and the first half of July.

Throughout these proceedings Mr. Davies had the benefit of able counsel. Mr. Davies testified and called six witnesses who testified on his behalf. Five witnesses who had furnished derogatory information appeared and testified under oath; all but one did so in Mr. Davies' presence and subject to cross-examination by his counsel.

On August 30, after consideration of all the available information and the entire record in the case, the Security Hearing Board reached a unanimous decision. It was that the continued employment of Mr. Davies is not clearly consistent with the interests of the national security. The Board accordingly concluded that his employment in the Foreign Service of the United States ought to be terminated.

Following receipt of the Security Board's decision, I have, as required by the statute and the regulations, reviewed the entire case, and I now make my determination as to its disposition.

My determination accords with that of the Security Hearing Board and is that the continued employment of Mr. Davies is not clearly consistent with the interests of the national security and it is advisable in such interests that his employment in the Foreign Service of the United States be terminated.

The reasons given by the Security Hearing Board for its decision are that Mr. Davies demonstrated a lack of judgment, discretion, and reliability. The Board emphasized that it defended Mr. Davies' right to report as his conscience dictated but found that he made known his dissents from established policy outside of privileged boundaries. The Board also emphasized that its decision stemmed preponderantly not from derogatory information supplied by others but from its own thorough and exhaustive analysis of Mr. Davies' known and admitted works and acts and, in connection therewith, his direct admissions and deficiencies as a witness before the Board.

The Board found that Mr. Davies' observation and evaluation of the facts, his policy recommendations, his attitude with respect to existing policy, and his disregard of proper forbearance and caution in making known his dissents outside privileged boundaries were not in accordance with the standard required of Foreign Service officers and show a definite lack of judgment, discretion, and reliability.

The Security Hearing Board did not find, nor do I find, that Mr. Davies was disloyal in the sense of having any Communistic affinity or consciously aiding or abetting any alien elements hostile to the United States, or performing his duties or otherwise acting so as intentionally to serve the interests of another government in preference to the interests of the United States.

Under the present Executive order on security, it is not enough that an employee be of complete and unswerving loyalty. He must be reliable, trustworthy, of good conduct and character.

The members of the Security Hearing Board unanimously found that Mr. Davies' lack of judgment, discretion, and reliability raises a reasonable doubt that his continued employment in the Foreign Service of the United States is clearly consistent with the interests of national security.

This is a conclusion which I am also compelled to reach as a result of my review of the case.

I have reached my determination, as the law requires, on the basis of my own independent examination of the record. One of the facts of that record is the unanimous conclusion of the members of the Security Hearing Board that the personal demeanor of Mr. Davies as a witness before them, when he testified on his own behalf and was subject to examination, did not inspire confidence in his reliability and that he was frequently less than

forthright in his response to questions. Conclusions thus arrived at by an impartial Security Hearing Board are, I believe, entitled to much weight, particularly when those conclusions are consistent with the written record which I have examined.

Recent Releases

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Technical Cooperation—Program of Education. TIAS 2830. Pub. 5250. 8 pp. 10¢.

Agreement, with Memorandum of Understanding, between the United States and Liberia—Signed at Monrovia June 23, 1953.

Mutual Defense Assistance. TIAS 2834. Pub. 5255. 10 pp. 10¢.

Agreement between the United States and the Republic of the Philippines. Exchange of notes—Signed at Manila June 26, 1953.

Military Bases in the Philippines. TIAS 2835. Pub. 5256. 3 pp. 5¢.

Agreement between the United States and the Republic of the Philippines, implementing agreement of March 14, 1947, as supplemented. Exchange of notes—Signed at Manila May 29 and June 17, 1953.

Naval Mission to Cuba. TIAS 2836. Pub. 5268. 2 pp. 5¢.

Agreement between the United States and Cuba, extending agreement of August 28, 1951. Exchange of notes—Signed at Washington April 14 and July 2, 1953.

Weather Stations—Cooperative Program in Mexico. TIAS 2837. Pub. 5269. 4 pp. 5¢.

Agreement between the United States and Mexico, extending agreement of March 29 and August 15, 1949, as extended. Exchange of notes—Signed at México, D. F., June 30, 1953.

Weather Stations—Cooperative Program in Cuba. TIAS 2838. Pub. 5270. 7 pp. 10¢.

Agreement between the United States and Cuba. Exchange of notes—Signed at Habana June 30, 1953.

Technical Cooperation—Industrial Apprenticeship Training Program. TIAS 2839. Pub. 5271. 2 pp. 5¢.

Agreement between the United States and Brazil, extending agreement of June 30, 1952. Exchange of notes—Signed at Rio de Janeiro June 29, 1953.

Technical Cooperation—Program of Education. TIAS 2841. Pub. 5273. 12 pp. 10¢.

Agreement between the United States and Egypt—Signed at Cairo June 18, 1953.

Disposition of Certain Accounts in Thailand, Under Article 16 of Treaty of Peace With Japan. TIAS 2844. Pub. 5276. 2 pp. 5¢.

Agreement between the United States and the United Kingdom—Signed at Washington July 30, 1953.

Technical Cooperation—Public Health Program. TIAS 2852. Pub. 5293. 15 pp. 10¢.

Agreement between the United States and Egypt—Signed at Cairo June 18, 1953.

Collaboration in Atomic Energy Research and Development. TIAS 2993. Pub. 5561. 2 pp. 5¢.

Agreement between the United States and the United Kingdom—Signed at Quebec August 19, 1943.

Designations

Raymond A. Hare as Director General of the Foreign Service, effective October 19.

David H. Popper as Director, Office of United Nations Political and Security Affairs, effective October 24.

William J. Sebald as Deputy Assistant Secretary for Far Eastern Affairs, effective November 1.

Max W. Bishop as Special Assistant to the Under Secretary, with responsibility for coordinating operational planning in the Department on matters coming before the Operations Coordinating Board, effective November 2.

Walter A. Radius as Special Assistant to the Assistant Secretary for Economic Affairs, effective November 2.

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Releases may be obtained from the News Division, Department of State, Washington 25, D. C.

Press releases issued prior to November 15 which appear in this issue of the BULLETIN are Nos. 573 of October 12, 594 of October 19, 596 of October 21, and 607 of October 26.

No.	Date	Subject
*620	11/1	Educational exchange.
*621	11/1	Educational exchange.
†622	11/1	U.S.-Libyan agreement ratified.
*623	11/3	Educational exchange.
†624	11/3	Visit of Arab Ambassadors.
†625	11/4	Payment for new German Embassy.
*626	11/4	Program for Mendès-France visit.
*627	11/4	Visit of General Phao of Thailand.
*628	11/4	Dulles-Queen Elizabeth remarks.
629	11/5	Dulles: John Paton Davies, Jr.
630	11/6	Spain credentials (rewrite).

*Not printed.

†Held for a later issue of the BULLETIN.



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